have." I suppose they would all believe him and they would | scrap their navies.

Mr. BORAH. Mr. President-

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. NORRIS. I yield. Mr. BORAH. I should like to have an executive session. If the Senator is willing to yield for that purpose, I will move an executive session.

HAY GROWERS IN CERTAIN COUNTIES OF TEXAS

Mr. SHEPPARD. Mr. President, will the Senator from Nebraska yield to me for a moment before the Senator from Idaho makes his motion?

Mr. NORRIS. I will yield to the Senator from Texas. Mr. SHEPPARD. Mr. President, the Senator who objected to Senate bill 4818 when the calendar was last called has advised me that he has withdrawn his objection. I should like to have the bill considered and passed at this time.

Mr. NORRIS. I did not hear the Senator's request.

Mr. SHEPPARD. I ask that a bill on the calendar, objection to which has been withdrawn since the calendar was last called, may be considered and passed at this time.

The PRESIDING OFFICER. Is there objection?
There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4818) for the relief of hay growers in Brazoria, Galveston, and Harris Counties, Tex., which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and is hereby, authorized and directed to examine and settle, on the basis of facts and figures to be found and reported by the Secretary of Agriculture, the claims of hay growers in Brazoria, Galveston, and Harris Counties, Tex., who were prevented during the year 1925 from harvesting their hay because of quarantine restrictions against the spread of the hoof and mouth disease: Provided, That the allowance made on any such claim shall not exceed the amount paid thereon by the livestock sanitary commission of Texas, pursuant to an act of the State legislature approved October 6, 1926. There is hereby appropriated, from any money in the Treasury not otherwise appropriated, a sufficient amount, not to exceed \$218,177.50, to enable the Secretary of the Treasury to pay such of the claims as may be allowed by the Comptroller General.

The PRESIDING OFFICER. The Chair is informed that there has been offered to the bill an amendment which is pend-The amendment will be stated.

The CHIEF CLERK. At the end of the bill, on page 2, line 7. after the words "Comptroller General," it is proposed to strike out the period and insert in lieu thereof a colon and the following:

Provided further, That no part of the amount of any item appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE SESSION

Mr. NORRIS. I now yield to the Senator from Idaho.

Mr. REED of Pennsylvania. Mr. President—
Mr. BORAH. Let me say to the Senator from Pennsylvania that the Senator from Nebraska wishes to hold his place on the floor for the opening of the session in the morning.

Mr. REED of Pennsylvania. Can it not be understood that he will hold his place with the right to proceed in the morning?

Mr. NORRIS. I am satisfied to have that understanding. Mr. REED of Pennsylvania. With that understanding, Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may proceed to the consideration of the War Department appropriation bill.

Mr. NORRIS. Mr. President, I should have to object to that. I do not think we ought, while we are debating the cruiser bill, have some other bill pending. The debate could go on just the same, it is true, but I do not see any advantage the appropria-

tion bill will gain by having that course taken, and, unless there is some particular reason why it should be done, I do not think the Senator ought to ask for it.

Mr. REED of Pennsylvania. I was merely anxious to have the appropriation bill before the Senate, so that if the debate on the cruiser bill shall be concluded to-morrow we might go ahead with the Army appropriation bill.

Mr. NORRIS. The Senator can then get up the Army appro-

priation bill.

Mr. REED of Pennsylvania. I can renew the request then; that is true.

Mr. BORAH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session, the doors were reopened.

Mr. JONES. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 35 minutes m.) the Senate took a recess until to-morrow, Saturday, February 2, 1929, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1 (legislative day of January 31), 1929

UNITED STATES DISTRICT JUDGE

Edward K. Massee to be United States district indge, district of Hawaii.

UNITED STATES CIRCUIT COURT JUDGE

Charles S. Davis to be judge of the circuit court, first circuit, Territory of Hawaii.

UNITED STATES ATTORNEY

John Paul to be United States attorney, western district of Virginia.

APPOINTMENT IN THE REGULAR ARMY

CHIEF OF BRANCH

Brig. Gen. Charles Highee Bridges to be The Adjutant General, with the rank of major general, for a period of four years from date of acceptance, with rank from December 31, 1928.

POSTMASTERS

INDIANA

Paul F. Walton, Oaklandon,

MASSACHUSETTS

Charles R. Gow, Boston.

MISSOURI

Anna Tabler, Jasper. William H. Reynolds, Smithton. Roy E. Dusenbery, Van Buren.

NORTH CAROLINA

James V. Benfield, Valdese.

VIRGINIA

John M. B. Lewis, Lynchburg.

WYOMING

Henry H. Loucks, Sheridan.

HOUSE OF REPRESENTATIVES

FRIDAY, February 1, 1929

The House met at 12 o'clock noon,

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our Lord, come richly into our hearts, for if they are full of love they are safe from the fear of evil and our dispositions are sweetened by Thy grace. Our natures are teeming with tendencies, desires, and ambitions. Help us to guard our wandering wills and subdue the threatening flames of passion; clear our perceptions and enable us to keep our manhood unstained. In our minds and hearts let there be strangely mingled enthusiasm and restraint, courage and quietness. It is the Spirit of God that makes life worth while. May we open the doors of our souls to Him, and all things will brighten with every step. Just now take our lives, so full of possibilities, and in the distant years may they count as trophies at Thy feet. Amen.

The Journal of the proceedings of yesterday was read and

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 12404. An act authorizing erection of a memorial to Maj. Gen. Henry A. Greene at Fort Lewis, Wash.;

H. R. 14920. An act granting the consent of Congress to the State of Wisconsin to construct, maintain, and operate a free highway bridge across Rock River at or near Center Avenue, Janesville, Rock County, Wis.: and

H. R. 15324. An act authorizing the attendance of the Marine Band at the Confederate veterans' reunion to be held at Char-

lotte, N. C.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is

requested, a bill of the House of the following title:

H. R. 16301. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1930, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the

House is requested:

S. 5129. An act authorizing Thomas E. Brooks, of Camp Walton, Fla., and his associates and assigns, to construct, maintain, and operate a bridge across the mouth of Garniers Bayou, at a point where State Road No. 10, in the State of Florida, crosses the mouth of said Garniers Bayou, between Smack Point on the west and White Point on the east, in Okaloosa County, Fla.;

S. 5515. An act to amend section 95 of the Judicial Code, as

amended; and

S. Con. Res. 34. Concurrent resolution authorizing the enrollment with an amendment of the joint resolution (S. J. Res. 171) granting the consent of Congress to the city of New York to enter upon certain United States property for the

purpose of constructing a rapid-transit railway.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14800) entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of

soldiers, sailors, and marines of said war."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 15848) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1929, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1929, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Warren, Mr. Phipps, Mr. Keyes, Mr. Overman, and Mr. Glass to be the conferees on the part of the Senate.

HAWAIIAN BOXING MATCHES

Mr. HOUSTON of Hawaii. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7200 and

agree to the Senate amendment.

The SPEAKER. The gentleman from Hawaii asks unanimous consent to take from the Speaker's table the bill H. R. 7200 and agree to the Senate amendment. Is there objection?

The Clerk read the title to the bill, as follows:

H. R. 7200. An act to amend section 321 of the Penal Code.

The Senate amendment was read.

Mr. CRAMTON. Reserving the right to object, where did all these details as to the length of the round and the intermission originate?

Mr. HOUSTON of Hawaii. They originated in the House.

There was no objection.

The Senate amendment was agreed to.

OMNIBUS PENSION BILL

Mr. W. T. FITZGERALD presented a conference report on the bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war, for printing in the Record.

INAUGURATION TICKETS-RULES OF THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNELL. Mr. Speaker, many Members have been disturbed by an announcement made in the local press saying that the number of tickets for the inauguration for Members of the House have been reduced to four. Where this information came from I do not know, but the Members of the House will be supplied with seven tickets, as was announced several days ago.

I want to further state that these tickets will not be ready until about a week before the inauguration ceremonies. They will be distributed by the Sergeant at Arms of the House, and an announcement will be made on the floor when they are ready.

Several have called me up over the phone and asked me about tickets for the employees of the House. We expect to have a special stand, which will seat about 1,200 people, which will take care of the employees of the House and the Senate.

Now, I would like to propose a parliamentary inquiry to the Speaker, or at least call the attention of the Speaker to something that I do not think is in accordance with the rules of the House. There has been a growing custom lately that during a roll call Members go into the well of the House and create such confusion that it is very difficult for the clerks to hear and impossible for Members in the Hall to hear their names when called. In my judgment this is all wrong. Furthermore, there is no provision in the rules that provides for a Member to explain his vote or how a colleague would vote if present. I think the Speaker should call attention to these infractions of the rules.

The SPEAKER. I am glad that the gentleman from New York has asked this question. The Chair has had in mind making a statement touching the matters he mentions. In the first place, the Chair thinks that gentlemen should not ask leave of absence for their colleagues on the floor of the House. It simply consumes time. They should be in writing and blanks are provided for that purpose. Hereafter the Chair will refuse to recognize gentlemen who ask for leave of absence for their

colleagues from the floor.

As to the second question asked by the gentleman from New York, whether the announcement by Members that their colleagues if present would vote so-and-so, is contrary to the rules of the House. The Chair has no knowledge of any rule that gives Members that privilege. Of course, a Member might obtain unanimous consent to make such a statement, and the Chair hereafter will ask if there is objection to making the statement.

With regard to Members standing in the well of the House during an important roll call, the Chair thinks that the rule prohibiting it ought to be strictly enforced, and will enforce it from now on. The Chair thinks that during a quorum call it would not be necessary to apply the rule very strictly, but where there is a roll call as important, for instance, as the one yesterday a large number of Members standing in the well is contrary to the rule, and from now on the Chair will strictly enforce that rule.

BILLS ON CONSENT CALENDAR

Mr. DENISON. Mr. Speaker, I desire to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENISON. The rules of the House provide that bills must be on the Consent Calendar for three days before they can be called up. I am informed that that means three days in which the House is in session. Is that the Speaker's interpretation of the rule?

The SPEAKER. The Chair thinks that the phrase "three days" means three legislative working days, that if the House is not in session it is not a legislative day, and that day, therefore, would not be included.

The present occupant of the chair has held that a holiday was not a legislative day. The Chair thinks that a day when the House is not in session is a holiday to that extent.

Mr. DENISON. I think that ruling of the Speaker was made in connection with the resolution for an investigation, filed by the gentleman from New York [Mr. LAGUARDIA]. He called it up right after the holidays and the Speaker held that the rule requiring seven days should elapse before it could be called up were days in which the House was in session.

Mr. SNELL. Would there not be a different situation from that of a regular holiday in the case of a week day when the House might be in session but on account of a particular

situation did not happen to meet.

The SPEAKER. The attention of the Chair is called to the fact that the calendar is not printed on days when the House is not in session. Therefore, it might be physically impossible to print in the calendar the bill which it is proposed to put on the Consent Calendar. Speaker Cannon ruled on December

20, 1909, that the better practice would be that bills should be upon the printed calendar for three days in order that they might be called on the Monday provided in the rule for the calling of the Consent Calendar. (Cannon's Precedents, sec. 8117.) On February 7, 1910, Speaker Cannon again ruled as follows:

The Chair in construing this rule has held that a bill on Unanimous Consent Calendar shall be upon the printed calendar. Why? So that every Member of the House by consulting the calendar may be informed what bills are subject to unanimous consent upon that calendar.

This decision may be found in Cannon's Precedents, section 8118. That being the case, the Chair thinks that the ruling with regard to holidays not counting as legislative days ought to be also applied to days when the House is not in session.

Mr. GARNER of Texas. Mr. Speaker, let us have a concrete demonstration. Next Wednesday is Consent Day. Suppose the House adjourned on Thursday until Monday, under the ruling of the Chair a bill placed on the calendar on Wednesday could

not be called up the following Monday.

Mr. DENISON. That is the reason I made the inquiry.

Mr. GARNER of Texas. And in order to take full advantage of the Consent Calendar, the House must stay in session then

even if it adjourned from day to day.

The Chair thinks so, and in such a case The SPEAKER. the bill must have been put on the calendar on Tuesday so that it would be on the calendar for three legislative days. House should not be in session on Saturday, a bill, to be considered on the Consent Calendar on Monday, must have been filed on the preceding Wednesday.

Mr. LEAVITT. And what is the effect of that on Calendar

Wednesday:

The SPEAKER. It would have no effect on Calendar Wednesday.

BAPID-TRANSIT RAILWAY ON UNITED STATES PROPERTY IN NEW YORK CITY

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Concurrent Resolution 34, authorizing the reenrollment with an amendment of the joint resolution (S. J. Res. 171) granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid-transit railway and consider the same at this time.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table Senate Concurrent Resolution 34 and consider the same. The Clerk will report the concurrent resolution.

The Clerk read as follows:

Senate Concurrent Resolution 34

Resolved by the Senate (the House of Representatives concurring), That the action of the Vice President and the Speaker of the House of Representatives in signing the enrolled joint resolution (S. J. Res. 171) granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapidtransit railway be rescinded, and that in the reenrollment of the said joint resolution the Secretary of the Senate be, and he is hereby, authorized and directed to strike out the following language: "at a point on Wall Street in the city of New York on the southern boundary of the property belonging to the United States and occupied wholly or partly by the Subtreasury Building, said point lying either at the southwest corner of the Subtreasury Building or in a southerly direction therefrom on a line in prolongation of the westerly wall of the Subtreasury Building and extending thence northerly along the westerly wall of the Subtreasury Building, or along a line in prolongation thereof, begin-

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate concurrent resolution.

The concurrent resolution was agreed to.

NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16714) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other pur-Pending the placing of the motion, I might suggest that the demand for time in general debate on this side of the House What at present amounts to something like four or five hours. is the demand on the other side?

Mr. AYRES. About three or four hours, so far.
Mr. FRENCH. Then, pending the motion, I suggest that we do not attempt to limit the time for general debate at this moment. I ask unanimous consent that the time for general debate be controlled equally by the gentleman from Kansas [Mr.

AYRES] and by myself.

The SPEAKER. The gentleman from Idaho moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, and, pending that, asks unanimous consent that the time for general debate be controlled equally by himself and by the gentleman from Kansas. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, and I do not intend to object, in view of the statement made that there are to be 7 or 8 or 9 hours of general debate, can not the House have some assurance that the reading of the bill under the 5-minute rule will not be undertaken to-morrow, so

that Members might be free to govern themselves accordingly?
Mr. FRENCH. Mr. Speaker, the inquiry is a fair one. I am not able to say whether or not Members will use all of their time or ask for somewhat more. Apparently the time to be consumed in general debate will occupy all of to-day and at least so much of to-morrow that I think I may as well say now that if we should conclude the general debate to-morrow, I shall not ask to begin the reading of the bill under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Idaho that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, H. R. 16714, with Mr. Luce in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16714, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 16714) making appropriations for the Navy Department and the Naval Service for the fiscal year ending June 30, 1930, and for other purposes.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Chairman, I yield the gentleman from New York [Mr. Clarke] 20 minutes.

Mr. CLARKE. Mr. Chairman, I ask the courtesy of the House in presenting my little picture that I be not interrupted.

Mr. Speaker, I am going to yield this afternoon to the walrus and the carpenter, who, as you will remember, were friends Alice encountered in Wonderland.

You will recall that meeting and at least a fragment of the conversation, which is quite familiar:

"The time has come, the walrus said, To talk of many things. Of ships and shoes and sealing wax And cabbages and kings."

I have always felt, Mr. Chairman, that the walrus was discussing just one subject—the tariff. The time has come for such discussion in Congress preparatory to that tariff readjustment which we now face.

We live in the American wonderland, a wonderland of magic cities and things done with magical precision. I am going to talk to you this afternoon about one of those magic cities, of ships that bring shoes; of the present necessity for some tariff sealing wax.

I shall try to show you that "if we know our cabbages" as well as we think we do in this House, we will pay some attention to the present-day need of a few million American kings. When I say kings I mean American workmen. They are the only kings we have in this country worth consideration.
"The time has come, the walrus said." Mr. Chairn

Mr. Chairman, the walrus was correct. Let me tell you something about a magic city in this American wonderland and the threat which menaces it and other magical American cities to-day, because ships bring shoes and there is no sealing wax.

THE MASTER SHOEMAKER OF THE MAGIC CITY

What Thomas Edison is to electricity, what Henry Ford is to the automobile industry, even that and just a little more is the beloved George F. Johnson to the shoe industry. Some call George F. the master shoemaker, but I feel that no such term is inclusive enough, for almost with magic hand has he translated a struggling, indifferent enterprise located in a small country town, with a single factory that gave employment to

but 200 people and produced but a thousand pair of boots per day, into three good-will cities-Johnson City, Endicott, and West Endicott-all within a radius of a few miles, with an aggregate population of 30,000, with 22 factories with a combined production averaging over 130,000 pairs of shoes per day. With 17,000 workers, each with a personal interest in the enterprise, for after a dividend has been paid on preferred and the common stock, the balance of the profits is equally divided between the workers and owners of the common stock. In addition many of the workers are stockholders in the company. There has never been a strike, production is maintained, and in 1925 the workers gathered dividends amounting to nearly \$1,200,-000, or practically 5 per cent, on the \$21,700,000 paid in actual wages in one year. George F., the beloved, as he is called, watches over and protects the interests of every employee. Food is assembled in public markets promoted by a community organization. The magic city provides three hospitals with complete medical service, without charge to the employees and their families, pensions for the old, sick relief and death benefits, a large park and playground, swimming pools, and everything to make life attractive to the workers and promote the feeling of shareholders in this great common enterprise.

The homes which are mostly owned by the employees are built and sold at cost and sometimes less. Free band concerts all bear testimony that the heart as well as the head of George F, is giving every consideration to promoting the interest of the family and generating a higher standard of living as well as

an enlarged American spirit.

For the first time in the history of the shoe industry the competition of cheap labor abroad and the introduction of American shoe machinery and American methods has threatened the magic city as well as the industry, so the workers and owners of these vast manufacturing concerns come before the Congress urging that the shoe industry, in common with other American industries, shall have protection from cheap labor and unfair competition in order to promote and continue this wonderful era of prosperity we are now in, generating better homes and finer Americans in an environment healthy and wholesome.

That Mr. Chairman, is the magic city which has arisen under propitious influences and through human genius, up yonder in the country whence I come, the district I am proud to represent.

There are many unique features to this magic city, because George F. Johnson is unique; yet I know from personal observation that in a general way it fairly reflects the life, the problems, the standards, and the people of dozens of shoe-manufacturing communities in the districts represented by nearly 100 of the Members of this House.

In the manufacture of shoes alone, Mr. Chairman, 17 of our States are vitally concerned, and by actual count there are 72 of our congressional districts where shoemaking is one of the leading industries. What I am going to say this afternoon touches the lives and the welfare of many millions of persons outside my own district. Otherwise I would not take up the time of the House in this discussion, for this is a national body, and national problems are entitled to right of way. I think that what I have suggested indicates that this is a truly national problem.

The people of the magic city, like the people of the other shoemanufacturing communities of the country, Mr. Chairman, are fairly representative of the American standard of living. When I speak of the American standard, I mean bathtubs as well as radio sets, comfortable and hygienic houses as well as automobiles; well-dressed, well-educated children as well as fur coats; and money to put on the collection plate on Sunday as well as

money to spend on vacation in the summer.

In short, I am talking about a typical American cross section of modest, reasonable, but comfortable living, which includes some things which were regarded as luxuries a few years ago. Now note, if you please, they still are regarded as luxuries in many parts of the world, but are taken as a matter of course in the American standards of living.

the American standards of living.

Some of those things, Mr. Chairman—and we will not be too specific, lest we give offense to the people of other lands, where no offense is intended—strike the line of demarcation between the living standards of the American workman and the living standards of workmen and their families in other parts of the world.

Realization of that fact is fundamental in this entire tariff question which presently the Congress will face in special session

with decks cleared for equitable revision.

The American workman lives as he lives because of the prosperity attendant upon the industry in which he is engaged. Just as long as that industry continues in normal prosperity, just so long will he be able to enjoy the same sort of substantial, sensible living that his neighbors in other lines of industry enjoy.

I am not one of those who believe that Congress can or should attempt to legislate prosperity. I think that is the wrong way of looking at the whole problem. Again and again on the floor of the House and in its committee rooms I have urged that it is not the function of the Congress and it is not the intent of Government to lift this group or that group bodily from a particular economic condition through artificial means. That is not the American idea. History suggests that is a trick of legislative bodies of decadent peoples.

But I think we are all agreed, Mr. Chairman, to this general

But I think we are all agreed, Mr. Chairman, to this general proposition—that it is the function of the Congress to insure equal opportunity. That is all we are discussing when we talk about the threat which is now menacing the magic city and the

American shoe business generally.

The shoe industry, Mr. Chairman, is unique among American industries in its relation to the tariff schedules of this country. It has not enjoyed the tariff protection accorded to most of the other manufacturing industries of the United States on the bulk of its output. Now and again, as tariff schedules have been revised, there have been suggestions for a protective duty on the all-leather boots and shoes which now have no protection, but the superiority of American shoe-making machinery has been such that no real economic necessity was found to exist by the tariff makers for a protective schedule on boots and shoes.

One result of that economic condition has been to stimulate the master shoemakers of this country to a high plane of mass production. They have improved their machinery both in efficiency and in total output. They have made, and are making, more shoes and better shoes than may be found anywhere else

in the world.

American brains and American hands have made that possible. Sallying forth into the world arena with no protective tariff shield to aid them, they have fought a good fight and they have held their own. As long as their mechanical weapons of production were superior, they could do that, and still pay American wages in competition with the cheap-labor made shoes of other countries.

If it had been merely a case of competing on a base of labor costs alone, Mr. Chairman, the American shoe industry would have found protection necessary, because there is a vast difference between the wages paid the American shoemaker and the wages paid the foreign shoemaker. The average wage in the magic city is \$1,500 a year, and I understand the average wage of the foreign shoemaker is about \$300 to \$500 a year, from one-fifth to one-third of the reasonable American scale.

But there was a compensating factor and that factor was the American-invented and produced shoemaking machinery, of which I have spoken. Its mass production, its high state of perfection gave the American manufacturer an advantage in production costs which enabled him to compete with the foreign shoe manufacturer and still pay American labor a living wage.

So things went along very well until the foreign shoe manufacturer, as was inevitable, began to buy and use American

machines for shoe manufacture.

Mr. COOPER of Ohio. Will my friend yield there? Mr. CLARKE. I do not care to yield at the moment.

Mr. COOPER of Ohio. Will the gentleman yield when he gets through?

Mr. CLARKE. I will be glad to do so.

As long as only the American manufacturers employed the mass-production, cost-reducing machinery, they could pay American wages and still beat the foreign manufacturer with his low-paid help and his not so efficient shoemaking machinery.

But as soon as the foreign shoe manufacturer began to equip himself with that same sort of machinery, then his cheap labor, as contrasted with the high-paid American labor, became

a determinative cost factor.

In other words, with the machinery equation equal or nearly so, on both sides of the water, then the labor-cost equation, plus transportation, would govern the production and marketing cost. The man with the cheapest labor could undersell the man with the more expensive labor because his production costs would, of course, be lower.

Very well, you say, but that is just a theory and that is just a hypothesis. What we want to know is what happened. Did anything actually happen to bring about this menace you suggest? Mr. Chairman, it did. It began to happen a long time ago. It is still happening. Now, it has become a threat, and because of that threat the shoe manufacturers are going before the Ways and Means Committee up yonder and ask for a protective duty. Let me show you a few million reasons why they are compelled to do that.

Mr. Chairman, here is a picture of the menace which is threatening the magic city and every other shoe manufacturing

community in the United States:

	Boots and shoes Slippers		pers	
	Pairs	Valuation	Pairs	Valuation
1923	398, 929 586, 689 814, 643	\$1, 346, 176 1, 995, 252 2, 429, 374	653, 964 581, 466 180, 322	\$280, 014 301, 904 130, 860
1926. 1927. 1928 i	1, 069, 741 1, 477, 435 2, 334, 594	3, 380, 972 5, 199, 656 7, 437, 746	377, 387	321, 381

1 Eleven months only.

In preparing this table I have begun with the Commerce Department reports of 1923, representing the general period in which the present tariff began to operate.

The importations of all leather boots and shoes duty free into the United States in 1923 are 398,929 pairs, valued at \$1,246,176. And at the same time, the importation of duty free leather slippers amounted to 653,964 pairs valued at \$280,014.

The imported shoe figure of 1924, Mr. Chairman, is somewhat

larger than that of 1923. It represents importations of 586,689 pairs of all-leather boots and shoes, duty free, valued at \$1,995,252. And while the slipper figure is slightly smaller, representing only 581,466 pairs of all-leather duty free slippers, will be noted that the value increases over 1923 and is \$301,904. Now we come to 1925, and what do we find?

This imported shoe is growing, Mr. Chairman; it is a size 8 now-814.643 pairs of duty free, all-leather boots and shoes imported during that year with a value of \$2,429,374, in competition with the output of the magic city and the other shoe communities of the United States.

Again the slipper falls off; it is not as important, yet it represents 180,322 pairs of duty-free, all-leather slippers, valued at

Now, it is not normal and it is not reasonable that a shoe fitting one person or one condition in one year should be two full sizes larger the next. Yet here we have the same shoe of free duty import of 1926, Mr. Chairman, and it is now a size 10. It represents 1,069,741 pairs of all-leather boots and shoes of the ordinary grades, valued at \$3,380,972. And you will note the slippers are climbing again—377,387 pairs, worth \$321,381.
What is happening to account for this increased army of

foreign-made shoes clattering up the gangplanks to American shores—an army bigger than Pershing took to France in the first instance? Certainly it is not accounted for by an increasing army of shoemakers in foreign lands. No, Mr. Speaker, there is only one thing that can account for it. American manufactured shoemaking machinery, bought by foreign manufacturers and operated by cheap foreign labor, with resultant low production costs, is being turned against the American market.

Under the cover of those American-made machine guns an invading army of a million and more sweeps on to the American

coast in 1926.

The next year-1927-as might reasonably be expected in view of what I have just pointed out, that army has increased to 1,477,435 pairs of duty-free, all-leather boots and shoes worth \$5,000,000, Mr. Chairman, or nearly five times as much as the importation of 1923. In four years, then, we have watched the development of a threat which has increased almost 500 per cent. The exact valuation as indicated by the commerce reports is \$5,199,656.

Only the first eight months of 1928 importations on duty-free.

all-leather boots and shoes are represented by these figures. But the size of it suggests that the progressive invasion I have been describing is a real threat and an increasing threat. In the first 11 months of 1928, 2,334,594 pairs of all-leather boots and shoes joined the army of invasion which threatens the

communities of which I speak.

And that, Mr. Chairman, represented an increase of 76.4 per cent, over the 1,323,574 pairs of duty-free boots and shoes im-

ported during the corresponding period of 1927.

The \$7,437,746 represented by the 1928 imports is just that much money taken away from the American shoe manufacturing trade. Increased American demands do not compensate for it. And I ask you, Mr. Chairman, and the gentlemen of this House who have borne with me so patiently, how, when he is so threatened in the home market by American-made shoemanufacturing machinery, plus cheap foreign labor, the American shoe manufacturer is going to be able to compete in foreign markets?

Mr. BLACK of Texas. Would it disturb the gentleman to yield there?

Mr. CLARKE. It would until I complete my statement and then I will yield.

I think it is a plain case. I think everyone in this House can see that this big boot here is kicking the American shoe manufacturer, and the American shoe worker in the face. It seems to me that the threat against the magic city and the other shoe communities of America is anything but fanciful in view of the picture I have presented here.

The threat is directed not only at American business per se. It extends to the shoemaker behind the machine; to his home, his wife, his children, and the living conditions which he now enjoys. It reaches to his butcher, his baker, his clothier, his banker, and his grocer. Wherever in this country men live by the trade which is as old as civilization itself, that threat is

A trampling army of duty-free, foreign-made boots and shoes is outside the walls of the magic city, Mr. Chairman.

We Americans have a habit of waiting until armies begin to move before we discuss arming. I think that it is time to begin talking preparedness for the protection of the magic city and the other boot and shoe making communities of America.

As long as our workmen enjoyed the production cost differential created by efficient American-made machinery, this was not a pressing question. Now the shoe is on the other foot, and Mr. Chairman, it is a foreign foot, aiming a swift kick at Ameri-

can living standards.

I listened in at the Ways and Means Committee tariff hearings the other day, and I heard my friend and colleague John GARNER, of that good Republican State of Texas, tell a New England manufacturer that the Democratic theory of tariff was to give everybody the same treatment. That is the simple remedy of the situation I have described to you, so there is no partisanship involved in the discussion of this tariff schedule, at least. The shoe manufacturers of the country, who have hitherto enjoyed none of the protection accorded other industries, are now facing that economic situation which furnishes the justification for a protective tariff. In it they are asking nothing for themselves at the expense of the ranchman and the Without attempting to speak for all of them, let me put into the RECORD at this point a part of a letter I received recently from the master shoemaker himself, George F. Johnson, builder of the magic city.

ENDICOTT, N. Y., January 1, 1929.

DEAR JOHN: You want an argument from my point of view on why we should ask for free hides, while we are insisting that we shall have taxed shoes. I am perfectly frank, John, when I say that, from my point of view, free hides are not important to the shoemakers or tanners. If taxed to satisfy the agricultural interests, it will work no hardship to any particular single concern. It will simply react on all alike, like any other tax which is put upon articles of general use. The "ultimate consumer" pays the bill. All shoes will cost more money. If it satisfies the farmers (who, God knows, need some consideration from their Government), I would be the last one in the world to offer opposition.

In the matter of shoes it is a different story. We need a protective duty. There is a great deal of labor in shoes, and our Government has stated that they intend to protect the working man. And so let's have a tariff on shoes, and a good stiff one, so that we can pay our laboring people about \$1,500 a year while our foreign competitor only pays \$300 to \$500.

I hope this is a clear, if brief, statement of the true situation. You are at liberty to use it in any way you see fit.

Sincerely.

GEORGE F. JOHNSON.

And there you have it, Mr. Chairman; a glimpse into the unselfish heart of this man who so well represents the industry now threatened by these millions of pairs of shoes that are scuffling up the American gangplanks each year in ever-increasing armies of invasion.

I think the case is plain-the case of ships and shoes and

sealing wax, and cabbages and kings.

ships bring shoes, and unless we use some tariff sealing wax, Mr. Chairman, our American workmen, who are the only kings we have in this country, are likely to come to the con-clusion that we do not know our economic "cabbages." We need If the shoe I have shown you fits, put it on.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. CLARKE. I will.

Mr. COOPER of Ohio. I will say I approve of everything the gentleman from New York says in regard to protecting the shoe manufacturer against foreign competition. Last year 64,000,000 square feet of upper calfskin leather came in duty We have some leather industry. I am going to go along with the gentleman to get a tariff for shoes, and I was wondering if he will go along with us to get a tariff for leather?

Mr. CLARKE. Reciprocity is the life of trade. I think that

is a fair proposition.

Mr. COOPER of Ohio. I would like to know what the gentleman thinks about it.

Mr. CLARKE. I think it is a reasonable proposition.
Mr. COOPER of Ohio. Does the gentleman believe the leather industry should be protected?

Mr. CLARKE. I certainly do. I think every American in-

dustry is entitled to protection.

Mr. COLE of Iowa. Where do we come in; we have cattle in Iowa and from cattle we get hides. Ought that not be protected?

Mr. HUDSPETH. Will the gentleman yield?

Mr. CLARKE. I will. Mr. HUDSPETH. I did not recognize the State from which I came by the gentleman's designation a while ago when he said the great Republican State of Texas, but he pictured the dire, yea very dire, situation in regard to the leather manufacturer and boot and shoe manufacturer and the gentleman read a

Mr. CLARKE. From George F. Johnson, one of the largest

manufacturer

Mr. HUDSPETH. That this gentleman was willing to grant a small increase in tax on hides. Is the gentleman aware of the fact that when his party took the tariff off hides in 1909 boots and shoes went up 100 per cent?

Mr. CLARKE. I do not know the exact situation. Mr. HUDSPETH. Well, that is so.

Mr. CLARKE. I do not know about it.

Mr. HUDSPETH. Now, can the gentleman transfer himself back down there to that good Democratic State of Texas and talk with the cattlemen, where it does not pay them in many instances to skin the old cow? Will the gentleman join me to secure a duty on hides—just a reasonable duty?

Mr. CLARKE. I will; and I will also endeavor to get the gentleman to vote the Republican ticket. [Laughter.]

Mr. HUDSPETH. He can never get the gentleman from Texas to vote the Republican ticket if he lives a thousand years. It does not pay the farmer down there in many instances to skin the cow and market the hide. I hope the gentleman will join me in giving an equitable duty on all those products of the farm and ranch.

Mr. CLARKE. I hope to be able to do so, and I hope the State of Texas will continue to be a Republican State.

[Laughter.]

Mr. HUDSPETH. No; it will be a Democratic State as long as you live and then some. My district is Democratic and it produces more cattle and more hides and more beef and more goats and more sheep than any other district in the United States. [Applause.] Mr. LINTHICUM.

Mr. Chairman, will the gentleman yield?

Mr. CLARKE. Certainly.

Mr. LINTHICUM. I am interested in the question of shoes. I want to ask the gentleman what the total production of shoes

is in this country?

Mr. CLARKE. I have not those figures to-day, I will say to my friend from Maryland, but I propose to follow up this preliminary statement later with a detailed statement of the production of shoes and of the producers who are engaged in the trade, and give you the whole picture.

Mr. LINTHICUM. There was at least one pair of shoes to each person in the country, I understand. That would be

120,000,000?

Mr. CLARKE. Yes. Mr. LINTHICUM. The gentleman says that in about eight months there has been imported about 2,000,000 pairs of shoes? Mr. CLARKE. Our increase has been over 70 per cent above

the figures for 1927. Mr. LINTHICUM. Is that of the higher class or medium or

low class shoe?

Mr. CLARKE. That is for the medium and some of the higher ones

Mr. LINTHICUM. One other thing. The gentleman stated, in speaking of this magic city of George F. Johnson, that the wages paid were about \$21,000,000.

Mr. CLARKE. Yes. And the workers share in the capital

stock and share in the profits.

Mr. LINTHICUM. I understood the profits were so large as to pay the employees 5 per cent on their stock in addition to their wages?

Mr. CLARKE. Yes.

Mr. LINTHICUM. That does not look like hard times in the

Mr. CLARKE. Here are the cold facts staring us in the face

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield there?

Mr. CLARKE. Yes.

Mr. COOPER of Ohio. Is it not a fact that the importation of foreign shoes at this time is in its infancy, and that unless we do something it will be only a little while until the importations increase to such an extent that our local shoe industries will be put out of business?
Mr. CLARKE. Yes.

In 11 months of 1928 there was an increase of 75 per cent of importations over those of the previous year, which went 500 per cent above what it was in the

year before.

Mr. COLE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CLARKE. Yes.

Mr. COLE of Iowa. Is the statement true that when hides and leather were put on the free list the price of shoes went up? Mr. CLARKE. I do not know whether it is or not. I am not familiar with that. I do not know as to the accuracy of that.

Mr. COLE of Iowa. I thought it was so stated. Is it not

true that in spite of the fact that leather and hides went on the free list, shoes have held up higher than other commodities relatively?

Mr. CLARKE. I do not think so in proportion to other commodities.

Mr. COLE of Iowa. Is it not true that with respect to other commodities shoes are higher now?

Mr. CLARKE. They are on about the same economic standard as other things.

Mr. COLE of Iowa. Is it not true that shoes are higher? Take clothes, for example. You can buy suits of clothes and overcoats for \$6.60, so advertised in the Washington papers.

Mr. CLARKE. What kind of suits are they?

Mr. COLE of Iowa. They are pretty good suits. Mr. CLARKE. They may be good for corn husking in Iowa

Mr. COLE of Iowa. We do not wear suits for that. We wear overalls and jackets.

Mr. OLIVER of Alabama. Mr. Chairman, in the absence of the gentleman from Kansas [Mr. Ayres] I am authorized to yield 10 minutes to the gentleman from Texas [Mr. Black].

The CHAIRMAN. The gentleman from Texas is recognized

for 10 minutes.

Mr. BLACK of Texas. Mr. Chairman, recently the Texas Legislature passed two resolutions upon certain important questions and has sent these resolutions to Texas Members of Congress. While they deal with important subjects they are brief, and I ask that the Clerk may read the resolutions in my time, for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read the

resolutions.

There was no objection. The Clerk read as follows:

Senate Concurrent Resolution 12, by Mr. Moore

Whereas the Civil War records of the States composing the Confederate States of America were carried as spoils of war by the Federal forces to Washington and placed in the War Department of the United States, where they now remain; and

Whereas these records can now no longer be considered of any real worth to the United States Government other than historical; and

Whereas the fealty of all States comprising the Union since the Civil War has been proved and sealed by a common baptism of fire and blood;

Whereas these old records are now but mute testimonials to the valor and courage and patriotism of southern manhood and are historical data cherished only by the States from which they were taken by the fortunes of war; and

Whereas the respective States are anxious to repossess this data and these war records for their historical value, and a worthy sentiment of

proud possession: Now, therefore, be it

Resolved by the Senate of the State of Texas (the House of Representatives concurring), That the Congress of the United States be, and they are hereby, requested by appropriate act to return to the respective States these war records, muster rolls, and other such documents taken from the respective Southern States at the close of the Civil War, and our Representatives and Senators in Congress are urged to secure the passage of such measure.

Senate concurrent resolution, by Mr. Berkeley

Whereas an important hearing on agricultural schedule will be held within the near future in both the House and the Senate of the United States Congress: Therefore be it

Resolved by the Senate of Texas (the House of Representatives concurring), That it go on record favoring a fair and adequate tariff rate on all products of both the farm and ranch, and that we request the Members of both Houses of Congress to give careful study to such schedule with special attention to the interest of the farmer and stock raiser; be it further

Resolved, That a copy of this resolution be wired to each Senator and Congressman from Texas and a copy be sent the chairman of the Agricultural Committee in both Houses of Congress.

Mr. BLACK of Texas. Mr. Chairman, these two resolutions that have been read deal with meritorious subjects. I shall not speak at length upon them at this time. The first resolution deals with the Confederate military records which were seized during the Civil War and which some of the States desire now returned to them for their historical archives. I think that is a reasonable and proper request, and I hope it will receive the favorable consideration of the proper committee of the House.

The second resolution deals with the subject just discussed by the distinguished gentleman from New York [Mr. Clarke], the question of fixing tariff rates. Our legislature has asked that when the next Congress comes to write a tariff law it shall give equal protection to the products of the ranch and the farm and the orchard as is given to the products of the factory and the mine.

In the making of tariff laws under Republican administration heretofore industry has been the favorite child of protection, and the products of the farm, the ranch, and the orchard have frequently been dealt with as the stepchild of protection by those who wrote the tariff laws. I hope that the Members of Congress from the agricultural States will see to it that in the writing of the next tariff law equal treatment and equal justice shall be given to the products of the farm, the ranch, and the orchard as is given to the products of the factory and the mine. In doing that it will be necessary to follow some sort of a consistent rule, and I think the Democratic platform which was adopted at the Houston convention is as clear and fair a declaration upon the kind of a rule that should be followed as I have seen anywhere. I am going to take the liberty of reading just a brief part of that platform. The Democratic platform declares for a tariff where the—

Duties will permit effective competition, insure against monopoly, and at the same time produce a fair revenue for the support of Government. Actual difference between the cost of production at home and abroad, with adequate safeguard for the wage of the American laborer, must be the extreme measure of every tariff rate.

Now, our friends the Republicans, in the presidential campaign last fall scoffed at that declaration and that rule of tariff making; but I call your attention to the fact that that platform declaration is substantially the same as the platform declaration of the Progressive Party in 1912, upon which Mr. Roosevelt, running as a Progressive candidate, received a much greater electoral vote and a much larger popular vote than did President Taft, running upon a platform indorsing the Payne-Aldrich tariff bill. I want to read the Progressive Party tariff platform in 1912 and show that it is substantially the same as the Democratic Party platform on the tariff in 1928.

Mr. MICHENER. Also read the Republican platform in 1912.

Mr. MICHENER. Also read the Republican platform in 1912.

Mr. BLACK of Texas. Now, let me read the Progressive platform of 1912 with reference to the tariff:

We believe in a protective tariff which shall equalize the differences of competition between the United States and foreign countries, both for the farmer and the manufacturer, and which shall maintain for labor an adequate standard of living.

That declaration is the attitude of the Democratic Party at the present time.

Now, as I see it, there are three schools of thought in this country upon the tariff question, and I may say in passing that I look upon it as a great deal more of an economic question than I do as a political question. There are three schools of thought. One school—and I think it is distinctly in the minority—is in favor of free trade. There is another school, which has too often had the ear of the people writing these tariff laws, that believes in making the rates so high that they will exclude foreign importations, prevent competition, and become the most effective agency that can be devised for monopolizing industry.

Then there is a third school of thought which believes, as declared in the Progressive platform of 1912 and declared in the Democratic platform of 1928, that the measure of tariff rates should be the difference in the cost of production at home and the cost of production abroad. If you adopt that rule, you have some measure by which to go, some measure by which you can mete out justice and you can defend a tariff law of that kind. I commend it to the Members of the next House of Representatives and suggest that they see to it that the farmers and those who toil upon the ranches and those

who are engaged in the orchard business receive a square deal in the writing of the next tariff law, [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. MICHENER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. MICHENER. I want to call the gentleman's attention to the fact that when the Fordney-McCumber bill was drafted all the tariff asked for by the farmers was carried in the bill with the exception of hides, and I want also to call his attention to the fact that the Underwood bill placed practically everything that the farmer produces on the free list. Is not that true?

Mr. BLACK of Texas. I think that is stating the matter too broadly. I am not sure, but my recollection is that, for example, on hides the Underwood tariff law had some slight duty.

Mr. HUDSPETH. No; there was none at all.

Mr. BLACK of Texas. Then possibly I am mistaken on that item, but let me say this in answer to the gentleman—

Mr. HASTINGS. I would like to inject just one statement. Is it not a fact that the farmers have been worse off since the passage of the Fordney-McCumber law than they have ever

been in the history of this Republic?

Mr. BLACK of Texas. I do not think anyone will dispute that. It is perfectly natural, of course, and it is a perfectly fair inquiry that I be asked, as the gentleman from Michigan has asked, for a bill of particulars as to where the Fordney-McCumber tariff law does not deal fairly with the farmer. I take as my authority that it does not do so a distinguished Member on the Republican side of the House. If the gentleman from Michigan will get the Tariff Review of September, 1928—and I believe that is the leading protective-tariff magazine in the United States—he will see there an article by Mr. C. G. Selvig, who represents the ninth Minnesota district in Congress, in which he deals with the unfairness to agriculture of the Fordney-McCumber tariff law. The subject of his article is The Tariff and Its Relation to Agriculture. I want to read to you some of the rates he uses for the purpose of comparison. In that article he appends a table which shows that the ad valorem duty on cotton clothing is 66 per cent; on wool clothing, 48 per cent; on cotton fabrics, 44 per cent; on wool fabrics, 71 per cent; whereas on corn, he says, reduced to an ad valorem

basis, it is only 17 per cent and on wheat 34 per cent.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. BLACK of Texas. In that table he shows that the ad valorem duty on iron and steel is 30 per cent; on copper and brass, 38 per cent; whereas on hogs, reduced to an ad valorem basis, it is 4 per cent and on pork it is 3 per cent.

No wonder that Mr. SELVIG says-

that when the McCumber-Fordney tariff bill was written the farmers did not get a square deal.

Now, that is what a distinguished Republican said, and to back up what he said he inserted in his article a table that compared the duties on agricultural products with the ad valorem duties on manufactured products, and if the gentleman from Michigan [Mr. Michener], a distinguished Member of the House, will get that table and read it I am satisfied he will agree with the gentleman from Minnesota [Mr. Selvie] that in the writing of that tariff law the farmer did not get a square deal, and the best proof of it is the condition of agriculture at the present time. As the gentleman from Oklahoma [Mr. Hastings] has said, I do not recall any time, scarcely, in the history of the country when, taking agriculture as a whole, it has been in a worse condition than at the present time. The situation is bad in many sections of the country, make no mistake about that.

Mr. MICHENER. And that condition commenced after the deflation of 1920.

Mr. BLACK of Texas. Oh, that condition commenced— Mr. MICHENER. Is there any question about that?

Mr. BLACK of Texas. That condition commenced and has had its full fruition during the last eight years of Republican administration.

Mr. MICHENER. And the condition is getting better.

Mr. BLACK of Texas. I wish it were, but I fear not. Only last night I read a statement from a gentleman in one of the counties out in the State of Illinois, in which he stated that no

longer is it possible to borrow a single dollar on farm lands in his county. And why? Everyone knows that the value of real estate is determined by its earning power and the reason farm lands have no loan value in some sections of the country is on account of the fact they no longer have an earning power. Something must be done to correct the unfavorable situation of agriculture. The rehabilitation of this great basic industry should strike a responsive chord in the heart of every Member of Congress who is interested in the happiness and prosperity of the American people.

The CHAIRMAN. The time of the gentleman from Texas

has expired

Mr. HARDY. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. Crowther].

Mr. CROWTHER. Mr. Chairman, I listened with a great deal of interest to the gentleman from Texas [Mr. Black], and I have a very high regard for his opinion on legislative matters in general and regret as deeply as anybody here the fact that he is not to continue to be a Member of this body. [Applause.] His passing is just another example of the fact that men who have the courage of their convictions, men who think clearly and speak logically and understandingly, and have what is now called initiative, but when I lived in New England we called it "guts," are sometimes not appreciated by their constituencies.

[Applause.]

Of course, I can not wholly agree with him on his attitude regarding the tariff. [Laughter.] Like many other members of his party his attitude has materially changed during the last few months. It was a very interesting spectacle during the campaign, and after the campaign to see the very sudden conversion of a great many members of the Democratic Party to the policy of a protective tariff, largely as a result of the vaccine virus that was injected by telegraph with a gentleman named Raskob on the handle end of the hypodermic syringe, I am of the opinion, however, that there are some vaccinations that do not take, and while there may be very many Democrats in the coming days when we are going to consider tariff legislation who will point with pride to the section of their platform which provides for a policy of a protective tariff, I am rather inclined to believe their old prejudices will warp their judgment and cause them to discover some unconscionable items in the bill that will prevent them from voting for it.

The gentleman from Texas [Mr. Black] is concerned, as we all are, for the return of prosperity to agriculture; however, I do not think the farmers' troubles all lie at the door of the tariff. Certain it is, that when you Democrats last wrote a tariff bill you never gave the farmer any consideration at all. His basic products you put on the free list; in fact, you skinned him alive and nailed his hide on the barn door as Exhibit A in the Underwood bill, a measure designed to be for revenue only

and failed to accomplish even that. [Laughter.]

Then came the writing of the Fordney-McCumber bill following the emergency tariff bill which helped to clear up the agricultural depression, and while that did not raise prices materially, it stabilized the markets as many of those in the wool industry can testify. I do not know whether that applied to Angora-goat hair in connection with wool of the sheep or not, but at any rate the general wool industry was benefited by the emergency tariff act, and you will remember that a very prominent Democrat, the gentleman from Texas [Mr. Garner], who is to be the leader on your side in the next Congress, I understand, made one of the finest tariff speeches ever made on this floor. Think of it! A tariff speech in favor of the emergency tariff act which was under consideration at that time. It has never appeared in the Congressional Record, but it was made in the hearing of most of us who are here to-day. [Laughter.] Mr. Chairman, as an old-fashioned Republican protectionist who believes that no rate of protection is too high that really protects an American industry, I always am concerned as to one particular subject and that is that the manufacturers seeking protection shall pay at least a reasonable share of their profits in good Why? Because as Republicans we boast of the improved living conditions that result as a development of American industry under a protective-tariff policy. I am desirous of keeping the purchasing power of our folks who toil on the farm and in the shop as high as possible.

Being a Republican protectionist of this character, I do not want, as some Members have charged me here, to erect a Chinese wall around the country so that nobody can get in; but I do want the wall to be so high and the footing so in-secure that importers are liable to break their necks trying to get in with foreign competitive merchandise [laughter], because, as I have said before, every dollar that we spend for imported goods goes into the pay roll of an importer or goes into his exchequer to pay a European pay roll.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HARDY. I yield the gentleman from New York one minute more.

Mr. HUDSPETH. Will the gentleman yield?
Mr. CROWTHER. I will be glad to yield to the gentleman

from Texas, if he will be brief.

Mr. HUDSPETH. I will be very brief. How does the gentleman stand on a tariff for the old farmers' product of hides?

Mr. CROWTHER, I am for a duty on hides. Mr. HUDSPETH. I thank the gentleman, and I am glad to know that the gentleman has come across to that view since the last time we had a tariff bill up.

Mr. CROWTHER. The gentleman is not quite fair with me; he has charged me before with taking a position against the duty on hides, and I explained my position at that time.

Mr. HUDSPETH. I know the gentleman has explained, but the gentleman did not vote for a tariff on hides.

Mr. CROWTHER. And I explained why very clearly. You will remember that there were four words left out of the hide clause-" of the bovine species."

Mr. HUDSPETH. Yes; of the bovine species. That means cattle.

Mr. CROWTHER. Of course; and that language should have been in the bill, but when it was left out that made every sheepskin, every lamb skin, and every goat skin a hide, and dutiable.
Mr. HUDSPETH. Certainly; and why not put a duty on

them?

Mr. CROWTHER. Because at that time the manufacturers were paying a duty on the wool, on the skin, and we would have taxed them out of business by assessing a duty on the hides and the wool as well. The duty on wool on skins was levied according to the decision of the Director of the Customs.

Mr. HUDSPETH. We are willing to give the other man a reasonable duty, why not give the man who produces a duty and increase the number of goats and sheep in this country so that we will not have to do any importing?

Mr. CROWTHER. If that can be done by an adjustment of

tariff rates, I am for it.

Mr. HUDSPETH. That can be done.
Mr. CROWTHER. I believe in a duty on these raw products, provided we have a sufficient compensatory duty on the manufactured products in which they are used.

Mr. HUDSPETH. I agree with the gentleman.

Mr. GREEN. Will the gentleman yield?

Mr. CROWTHER. Yes.

Mr. GREEN. I hope the gentleman will insist on retaining the tariff on imported palm fiber of three-quarters of a cent a pound as protection for the Florida-grown mosses. There is a duty now on palm fiber, and our moss growers are very much interested in having that duty increased.

Mr. CROWTHER. Due to the recent election returns from the State of Florida, if it was in my power so to do, I would be most happy to grant Florida all that they need in the line of protective tariff. [Laughter.] I do not think Florida can complain of her treatment, even in her Democratic past.

Mr. Chairman, let me say this: I do not believe that the charge can be made against the Republicans that ever during a discussion of the tariff, or during the practical application of it, or in the construction of a bill, you can charge us with being sectional. We never ask a witness before the committee as to his political affiliations. No Member of the House was ever denied the duty on a commodity that was raised or produced in his territory because he was a Democrat. In the practical application of this policy we believe there should be no sectionalism-no North, no South, no East, no West-and that if it is humanly possible the effort should be made to have tariff benefits accrue to the farmer as well as to the manufacturer. plause. 1

Mr. Chairman, in extending my remarks, I desire to print a letter that I sent to the Manufacturers Record on December 10,

WASHINGTON, D. C., December 10, 1928.

RICHARD H. EDMONDS.

Editor Manufacturers' Record, Baltimore, Md.

DEAR MR. EDMONDS: The recent Republican victory in the national campaign carries with it some tremendous responsibilities, and not least among the many is the necessity of tariff revision. Cement, brick, leather, shingles, and boots and shoes and hides are at present on the free list. The flexible clause offered a degree of relief to those manufacturers and agriculturists who were so fortunate as to be on the protected list, and the results have been extremely beneficial in those cases which have been adjudicated under this clause. However, the present law provides no remedy or relief for the folks who find their products on the free list. They have no avenue of escape and no door to knock at for relief. They must, in old New England phraseology, "grin and bear it." When an industry has been hanging by its eyelids for several years, as in the case of shingles and leather, they may have accustomed themselves to "bearing it," but they certainly owe us no apology for "not grinning." As an old-fashioned protectionist who believes that no rate is too high that really protects an American industry that pays its honest share of profits in decent wages I, of course, welcome the conversion of my Democratic colleagues to the policy of protection. Before they serve actively in the preparation of a tariff bill I think, in view of the hysterical haste with which they crowded to the front at the telegraphic call of their candidate, that they should serve a reasonable period of probation. I have heard of vaccinations that did not take.

I trust that we shall have a special session closely following the close of the session on March 4, and that we may revise the agricultural and industrial rates to the satisfaction of everybody—producer, wage earner, and the farm folks. It must be done as quickly as possible if it is to be of any value to agriculture in 1929. The present law has proved its value to American industry, but changed industrial conditions abroad demand that its weak spots be strengthened. Let's do it now.

Yours truly,

FRANK CROWTHER.

Mr. OLIVER of Alabama. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, the question of a more rigid enforcement of the prohibitory law is an acute one in the minds of the people of to-day. The Senate amendment, known as the Harris amendment, now in conference, provides as follows:

For increasing the enforcement force, \$24,000,000, or such part thereof as the President may deem useful, to be allocated by the President, as he may see fit, to the departments or bureaus charged with the enforcement of the national prohibition act and to remain available until June 30, 1930.

The people will not be deceived by the parliamentary tactics to avoid a direct vote on the Senate amendment. Unanimous consent was requested to take up the bill with the Senate amendments and consider them, and if this course had been pursued a direct vote could have been secured on the Harris amendment. This was refused. The leaders in confusion adjourned the House. Instead of a direct vote on the amendment a rule was brought in to send the bill to conference, in the hope that the Senate conferees would recede and thereby avoid a direct vote on the amendment. That was the plain and only purpose of the special rule. Analyze the vote and you will find that all of those opposing the rigid enforcement of the prohibitory law voted in favor of the previous question, which had the parliamentary effect of preventing an amendment to the rule which would have permitted a direct vote on the Harris amendment, which provided the necessary appropriation to enforce prohibition.

It is argued by those opposed to prohibition that the law can not be enforced and it is maintained by those who favor prohibition that sufficient funds are not appropriated to enforce the law

This amendment will provide funds for a fair test. It places \$24,000,000 in the hands of the President and permits him, in his discretion, to allocate it to the various departments or bureaus charged with the enforcement of the national prohibition act. This answers the argument of those who have heretofore maintained that sufficient funds have not been provided. The issue here is clear-cut. Everyone in favor of the better enforcement of prohibition voted against the previous question, because that would have enabled the friends of prohibition to offer an amendment to the rule providing for a direct vote on the Harris amendment, and all those who are not in sympathy with the rigid enforcement of the prohibition law and who do not want to give the law a fair test voted against it. The question can not be dodged by a special rule. The people throughout the country will understand the vote.

I do not see how any Member of the House who is in favor of the eighteenth amendment and the legislation enacted to vitalize it can find any objection to this amendment or to the language of it. It places in the hands of the incoming President sufficient funds to enable him to utilize every department and bureau of the Government charged with the enforcement of the prohibitory law to the very best advantage. There is no question but what the sentiment of the country is in favor of

prohibition.

The eighteenth amendment was submitted to the legislatures of the several States by resolution passed by Congress on December 17, 1917, and was declared to have been ratified in a proclamation of the Secretary of State, dated January 29, 1919, by 36 of the 48 States of the Union. The record shows that the legislatures of 46 of the 48 States finally ratified the amendment.

After the amendment had been ratified by the legislatures of 36 of the States, this being sufficient to adopt it, the amendment was thereafter ratified by the legislatures of the States of Missouri, Wyoming, Minnesota, Wisconsin, New Mexico, Nevada, and Vermont. And it was ratified by the State of New York on January 29, 1919, the date of the issuance of the proclamation by the Secretary of State; by the State of Pennsylvania on February 25, 1919, and by the State of New Jersey in 1922.

I call attention to these dates in order to emphasize the number of States that ratified the amendment after the procla-

mation was issued by the Secretary of State.

This record conclusively answers the argument frequently heard that this amendment was not adopted as other amendments submitted by Congress to the several States.

Only two States, Connecticut and Rhode Island, did not ratify

this amendment.

Violent protests against prohibition are heard, particularly from the Representatives in the House and Senate from the States of Illinois, Massachusetts, Maryland, Missouri, Pennsylvania, New Jersey, New York, and Wisconsin; but all of these States, in the method defined by the Constitution, ratified this amendment.

The eighteenth amendment differs from any other amendment to the Constitution in that, first, it postponed the enactment of legislation to enforce prohibition until one year after the ratification of the amendment; second, the power to enforce the article by legislation is concurrent with Congress and the several States; and, third, the amendment was required to be ratified within seven years from the date of submission.

This amendment places the responsibility for the enforcement of prohibition upon both the Federal and State authorities.

The principal argument made against prohibition is that it can not be enforced. This I deny. Every criminal enactment by Congress or by the legislatures of the several States can be enforced by conscientious and sympathetic public prosecutors. Of course, if the prosecuting attorney does not favor the legislation and does not have the proper cooperation by the marshals and sheriffs of the respective communities, he is greatly hampered in the enforcement of the law. Generally speaking, those who argue that the law can not and has not been successfully enforced do not want it enforced. They want to embarrass the enforcement officers in every possible way.

On the other hand, some enforcement officers, in an effort to find an excuse for their failure to rigidly enforce the law, urge that they do not have sufficient funds to employ subordinate officers or that the funds appropriated are not sufficient to bring

into the service employees of a high type.

It is also argued that funds have not been available for patroling the Canadian and Texas borders. This amendment provides the funds and places them in the hands of the President of the United States and charges him with the responsibility of the enforcement of the prohibitory law. He need not spend more than is deemed necessary to give the enforcement of this law a fair test.

My record in favor of prohibition is well known throughout my State. I have always lived in a part of the State of Oklahoma, which was formerly the Indian Territory, where prohi-

bition has always been in force.

I appeared before the committee when statehood was being urged for the present State of Oklahoma in support of the provision requiring prohibition in eastern Oklahoma for 21 years from statehood, and when this was submitted to the people by the constitutional convention I voted for state-wide prohibition.

Since I have been in Congress I have consistently voted for all prohibition measures and for all appropriations reasonably

necessary to enforce the prohibitory law.

I am the author of an amendment added to the Indian appropriation bill approved May 25, 1918, which had for its purpose assisting the officers in eastern Oklahoma to enforce the prohibitory law. It put teeth into the law and made the possession of intoxicating liquor in the Indian country a criminal offense.

I voted for prohibition for the District of Columbia and I am in favor of the present amendment, because I believe that this additional appropriation is reasonable and necessary to enforce

the law.

I voted to override the President's veto of the Volstead Act. If this amendment is adopted and vetoed, I will vote to override it.

My judgment is that inferior courts should be established or the number of commissioners authorized to be appointed by the Federal courts enlarged and these commissioners given jurisdiction over first-offense violations of the prohibitory law. Second. I favor making a distinction between the possession of intoxicating liquor and the manufacture or sale of it for profit. If the inferior courts were given this jurisdiction and the violators of the prohibitory law were tried as soon as apprehended, it would greatly aid in the effective enforcement of the law.

Everyone knows that those who make and sell liquor for profit hope to avoid conviction by delays through postponement of their cases, in the expectation that in the meantime witnesses will have removed from the country or disappeared, and that the Government will be without testimony to convict them.

The vast majority of the violators of the law have no defense other than to rely upon technicalities and the inability of the Government to make out its case. If they were brought to trial immediately the witnesses will not have disappeared and their memories will be fresh and convictions will be almost certain.

For the second and each subsequent offense I would increase the penalty, first to one year in the penitentiary, and second, to a minimum of not less than three years. Enact such a law and place at the head of the enforcement bureau a man in sympathy with it and one in whom the public has confidence, and then appoint or elect prosecuting officers and marshals and sheriffs who are really in sympathy with the law, and with sufficient funds appropriated the law can be enforced.

It is urged that because many cases are made public in which the law has been violated and no convictions had that therefore it should be repealed. This is true of every criminal statute, State and Federal. Because criminal statutes are violated is no justification for their repeal.

I favor prohibition because I believe that it is best for the individual himself to abstain from the use of alcoholic beverages, and in proportion as you make it more difficult to secure, the less amount, of course, will be consumed. Persons addicted to the use of alcoholic liquor, who drink occasionally, will at times, unfortunately, drink to excess, and this leads to a loss in efficiency and earning power of the individual. It is an economic waste.

You no longer see officials or prominent men intoxicated in public. Attorneys are not employed who drink to excess. one wants to ride on a train in charge of an engineer who drinks. Physicians and surgeons are no longer trusted or their services availed of who are known to be habitual users of intoxicating liquors. And these illustrations apply to all professions, laborers, and classes without exceptions. Why? The people know they are unsafe and not reliable. The public is being educated away from the use of intoxicants.

I favor prohibition because I believe alcoholic liquor destroys, in a large measure, the happiness and contentment of the home: wages are spent upon drink which should be used to clothe, feed, educate, and otherwise maintain the family; and I think no one will deny that the excessive use of alcohol does tend to destroy the happiness of the home.

I favor prohibition for the reason that, in my judgment, alcoholic liquor is directly or indirectly the cause of a very large percentage of the crimes committed and is responsible for the very great cost of our criminal courts. Most of the serious criminal cases in my district, involving assault with intent to kill, murder, or manslaughter, are directly traceable to the excessive use of intoxicating liquor. I am sure the same is true in a large measure in every section of the country. These trials are a very heavy burden upon the taxpayers of the country.

The Volstead law enacted to vitalize the eighteenth amendment to the Constitution and all amendments thereto should receive the support of every officer-municipal, county, State, and Federal-from coast to coast.

Alcohol tends to blunt the moral sensibilities, weakens the mental powers, and lessens personal efficiency. I think no one can successfully controvert that statement. It does not bring It does not bring sunshine and happiness to the home, but distress and misery. Its use leads to excessive indulgence and this does not increase the attendance at Sunday schools or churches. The crease the attendance at Sunday schools or churches. day of the corrupting influence of liquor and saloons has gone never to return. We must educate our children, not debase Let us give them the advantage of our full earning power instead of dissipating our earnings in the purchase of alcohol and passing our time in idleness.

I have never heard or read a satisfactory defense of use of liquor. The following are usually urged:

The first defense is that it interferes with our personal liberty, which, of course, is unsound, if not for our best interest, and no one contends that the use of liquor is; and, second, that it can not be enforced and this, I repeat by way of emphasis, I emphatically deny; and, third, the question of the expense in the enforcement of prohibition is urged, which, of course, is nothing as compared with the expense of our criminal courts added to the economic waste due to loss of efficiency and earning power of the individual; and, fourth, the loss of revenue to the Government, and if we are correct in our belief that alcohol tends to debase instead of uplift the individual, the Government

should not be maintained through revenue derived from this source.

It is being urged through speeches made on the floor of the House and in the Senate, and throughout the country, that there is much sentiment for the modification or repeal of the Volstead Act, and many bills to that effect have been introduced from time to time and referred to the Committee on the Ju-Their introduction enables various organizations to solicit funds for propaganda purposes.

I think this committee should promptly, each session, report one of these bills and place it upon the calendar for an early vote at the beginning of each session. If this were done, in my judgment, it would disclose that there is only a handful of Members favorable, upon a direct record vote, to the modification or repeal of the Volstead Act, and the public would not then be longer deceived. Until this show-down is had, the sentiment in Congress will continue to be misrepresented on the floor of the House, through the public press, by letters, and by individual conversations. In my judgment there would be an end to the solicitation of funds for the repeal or modification of this law if a report were made by the Judiciary Committee and a record vote had in the House early after the meeting of each session.

As long as this amendment is a part of our Constitution it is the duty of Congress and of the various State legislatures to enact legislation and appropriate funds to insure its rigid enforcement.

I sincerely trust that the Senate conferees will not yield upon the Harris amendment and that this amendment may yet be brought back to the House by the House conferees so that a direct test vote may be had upon it. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, ladies, and gentlemen of the committee, I am almost tempted to apologize for talking on a subject which was considerably discussed yesterday afternoon, and which was again discussed a few moments ago by the distinguished gentleman from Oklahoma [Mr. HASTINGS]. subject is so much on everybody's tongue as to excuse my offering it again for discussion. I refer to prohibition.

I desire to approach this subject from a somewhat unusual angle and to point out to you some of the peculiarities, some of the very anomalous circumstances connected with the enforcement of these prohibitory statutes.

I hold in my hand a bulletin, No. 1075, issued by the United States Department of Agriculture as a farmers' bulletin. It tells those who might read it how to make nonfermented grape juice in the home. If you will peruse the pages of this bulletin you will find the most up-to-date method of how to make not

only nonfermented grape juice, but how to make wine.

Mr. TUCKER. What distillery issued that?

Mr. CELLER. No distillery issued it; it is issued by the United States Department of Agriculture. You can get these bulletins at the Department of Agriculture, and you will find that it tells you of the old methods of making wine. It tells of the new methods of making wine-how to crush the grapes, how to ferment the grapes, how to decanter the juice, how to bottle it, how to increase or decrease the degree of fermentation. It gives you the whole history of the process of making wine. You are not told with any degree of emphasis where to stop as far as alcoholic content is concerned. You are not told when to stop the process of fermentation. You simply let your conscience be your guide.

Mr. McKEOWN. Will the gentleman yield? Mr. CELLER. I am glad to yield to my friend from Okla-

Mr. McKEOWN. I wonder if the Government is putting out this bulletin to offset the one put out by the wine makers telling you how not to make wine.

Mr. CELLER. Well, I am not aware of that. One thing is certain, this bulletin is surely encouraging wine making in the home. Now, it is difficult to understand how in one breath we endeavor to appropriate millions of dollars in what we consider to be an earnest attempt to enforce prohibition and in the other breath countenance the issuance of bulletins of this sort from the Department of Agriculture. The one action is surely contradictory of the other. The "drys" ought to be the first to rise in wrath against the issuance of these bulletins. They are outrageously silent.

What has been the result of these bulletins? I have gathered some data from the Department of Agriculture on the grape some data from the Department of Agriculture on the grape production, and I find that in my own State of New York and in the State of California a great impetus has been given to the production of grapes, not for table use, but primarily for the use of manufacturing wine. I presume, as the result of these bulletins which are scattered broadcast throughout the Nation, this great encouragement has been given to the art of grape growing, grape crushing, and wine making. The Department of Agriculture, Division of Crops and Estimates, gives the following startling increases in grape production:

	1918	1919	1920	1921
CaliforniaUnited States	1, 184, 000	1, 330, 000 1, 561, 000	1, 273, 000	1, 100, 000
	1922	1923	1924	1925
California	1, 706, 000 1, 981, 171	2, 030, 000 2, 227, 395	1, 535, 000 1, 777, 722	1, 912, 000 2, 064, 085
		1926	1927	1928
California		2, 114, 000 2, 423, 413	2, 364, 000 2, 605, 238	2, 178, 000 2, 636, 076

Mr. MORTON D. HULL. Is the bulletin dated; and if so, what date does it bear?

Mr. CELLER. This bulletin, Farmers' Bulletin 1075, was issued October, 1919, and revised September, 1925. I will say, for the edification of the gentleman or any of his constituents, that he or they can get all of these wanted down in the Department of Agriculture.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Yes.

Mr. LINTHICUM. Mr. Chairman, the gentleman remarked that it seemed peculiar that the Government should issue a pamphlet like that, telling how to make grape juice and wine and at the same time try to enforce a law against the making of wine.

Mr. CELLER. That is correct.

Mr. LINTHICUM. Is that much different from the practice of the Government in that it seeks to prosecute the bootlegger, and yet if the bootlegger makes some money, makes him make

a return and pay taxes to the Government?

Mr. CELLER. No. I think the gentleman is correct in his observations, and the question answers itself. The practice in both instances is indefensible. Let us take another angle of the situation, and I assure you that I do not in any wise intend to be personal in my observations. I respect the wishes of any man or woman in this House with respect to their attitude toward prohibition. I have my own views and I desire at times to express them. What is the situation with reference to the production and manufacture of corn sugar in this land? Prior to prohibition there was not very much use apparently for corn sugar, because, as you know, corn sugar is the main ingredient in the manufacture of what is known as "white mule," "moonshine," "rot gut," or "third rail," beverages that used to be in common use among the negroes of the South, but which now are in quite common use the entire country over.

In 1909 there were in round numbers 159,000,000 pounds of corn sugar manufactured. In 1914 that had increased to 174,-000,000 pounds. In 1919, at the advent of prohibition, it decreased to 137,000,000 pounds, only to jump, in 1923, to 537,000,000 pounds, and to 580,000,000 pounds in 1925. In 1927 the figures almost doubled. There were produced in this country 904.830,682 pounds of corn sugar. Let me tell you something very interesting about corn sugar: In 1922 a process was invented whereby they could crystallize corn sugar. Theretofore it had to be shipped, if shipped at all, in a semiliquid state, very much like molasses. In 1922 an entire new industry was developed, growth was abetted by prohibition. They were able to crystallize corn sugar and send it forth in cans. It is now shipped dry, crystallized, and air-tight. That is why you have this tremendous increase in the production and sale of corn sugar. What do the people do with this corn sugar? It is notorious that all over the land they are learning in the homes how to distill spirits out of corn sugar by the mere addition of yeast and water and the distillery process. The obnoxious part of the "moonshine" process was always the dreadful, foul smell of the mash. The smell always led to detection. The crystallized corn sugar does away with the mash and its awful smell. To the corn sugar Mr. Home Distiller adds yeast and water and rye; sometimes he uses barley or malt. The mixture is allowed to ferment and then is run through a distillery apparatus, which is readily purchased in a malt and hop store, a department store, a mail-order house, or in the chaingrocery store. And so we are fast developing into a home-dis-tilling Nation. I forgot to tell that caramel is used for

The following figures from the United States Bureau of the Census concerning corn sugar tell a tale that compels attention. The legitimate uses for corn sugar are limited to baking, ice cream, and confectionery trades. Those trades could not possibly absorb the staggering number of pounds of corn sugar now produced. Corn sugar has become the handmaiden of the bootlegger. It is strange that while the per capita consumption of sugar is declining the per capita consumption of corn sugar is tremendously increasing. I am told that "racketeers" and "higher-up" bootleggers are fighting for control of distribution of corn sugar in the Central and Western States.

United States production of corn sugar (also known as dextrose and grape sugar)

[United States Bureau of the Census]

Year	Pounds	Per cent of increase or decrease	Value	Per cent of increase or decrease
1909	159, 060, 478 174, 368, 818 157, 276, 442 152, 055, 872 537, 909, 513 580, 370, 043 904, 830, 682	+9.63 -9.19 -3.32 +235.75 +7.89 +55.90	\$3, 620, 816 3, 765, 515 9, 314, 977 4, 542, 238 16, 797, 033 19, 505, 495 25, 635, 262	+3.99 +147.37 -51.24 +269.79 +31.40 +16.12

Source: Census of Manufactures, 1927, U. S. Bureau of the Census.

You can not disregard these facts and figures. I appeal not only to the prohibitionists but to the antiprohibitionists of this House and elsewhere, and I hope you will take what I say in a kindly light. I mean nothing vindictive against prohibitionists. I want to see the laws of the country enforced. I want to do all in my power to have them enforced. I am just as desirous for temperance as any man or woman in this House, but we must not lose sight of these facts. They spell intemperance. We must not blind ourselves just because we happen to be on one side or the other of the prohibition question. We must not be impervious of the truth.

Mr. BLACK of New York. Mr. Chairman, will the gentle-

man yield?

Mr. CELLER. Yes.

Mr. BLACK of New York. Does the gentleman know whether or not the bootleggers' protective association has applied to the Ways and Means Committee for an increase in the tariff to protect them?

Mr. CELLER. What is the situation with reference to another product in this country, and that is malt sirup? I could not get the exact figures from the Bureau of the Census or the Department of Agriculture, but I am told that in 1927 there were produced in this country \$30,343,478 worth of malt sirup. That is the wholesale price. I do not care where you come from, from what city or hamlet or village, but you can go into any grocery store, you can go into any chain grocery store, you can go into any department store in the larger cities, and buy malt sirup, or you can order it from any mail-order house and receive it in cans. Before prohibition there was not this tremendous demand for the sale of malt sirup. The only use to which I know malt sirup was put in those days was for flavoring in the manufacture of confectionery or ice cream, or it was prepared especially to give nutriment to feeding mothers. are foods known as Mellon's Food and several others-and that has no relation to the Secretary of the Treasury-that contain this product, but there was no tremendous demand or use for malt sirup prior to prohibition. Now there is a tremendous demand for it. Every grocery store or delicatessen store throughout the land can supply you with it. What do the people do with it? I venture the assertion that there is more beer produced, home brew, in this land to-day than was produced by all of the brewing companies combined.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?
Mr. CELLER. When I finish my thought. The process by which home brew is made, because of this improved method of distribution and sale of malt sirup, is quite simple. At this very moment in thousands of homes throughout the land they are taking these cans of malt sirup and dumping their contents into crocks or stone jars or boilers, or even bathtubs, and by the addition of raisins or yeast and water, by bottling it, by putting it into the ice box for 10 days, are producing what is known as "home brew." It usually contains 4 to 8 per cent by volume of alcohol. It is a very serious situation, something that should compel your interest, be you dry or wet. I yield to the gentleman from Oklahoma.

Mr. McKEOWN. Does the gentleman not think that by his last remarks he is contributing considerable information to the uninformed as to how they may use this malt sirup?

Mr. CELLER. Maybe no; maybe yes. I think it is information that is known to everybody in this room. I am simply giving you current history. It is known throughout the length and breadth of the land. I am sure the gentlemen know me too well to think I would in the slightest degree encourage law

Mr. McKEOWN. Would the gentleman be in favor of forbidding the use of grapes, of stopping the sale of malt sirup, and such things, so as to try to have the prohibition laws enforced

as the gentleman would like to see them enforced?

Mr. CELLER. No; these articles have legitimate uses. I stressed this because there seems to be an inherent, fundamental desire for those things. The people will get them whether you have prohibition or not. They will, in order to get the drink you deny them, go to these extremes. You can not stop them. No law can curb them. That is why you have this tremendous increase in the production of malt sirups, corn sugar, and such

Mr. UPDIKE. Will the gentleman yield?

Mr. CELLER. I will. Mr. UPDIKE. I was very much interested in the gentleman's figures. I just wondered if the gentleman from New York had any figures in reference to the amount of liquor destroyed by prohibition-enforcement officers during the period of time he

has set out here?

Mr. CELLER. I do not doubt the enforcement officials in some parts of the country are doing the best they are capable of, and that a good number of barrels of whisky and barrels of beer, or whatever it might be, are being destroyed, but that does not change the situation. I am giving these facts for your mental digestion so that you who may not agree with me may offer something constructive, change a law which has not succeeded in driving out "drink." I think I am bringing to bear upon this subject something of a constructive nature by bringing these facts to your attention. There is another vexatious proposition connected with the question. I refer to diplomatic liquor. I addressed a communication to the Commissioner of Prohibition, or rather to Doctor Doran, of the prohibition-enforcement office, and I asked him whether he would be willing to give me the amount of liquor imported into this country by the attachés and the consular and diplomatic agents accredited by foreign governments to this country, and he said that he could not give me those figures although that in our customs regulations, to wit, 405, there is the following:

SEC. 405. Members and attachés of foreign embassies and legations may receive articles imported for their personal or family use free of duty upon the department's instructions in each instance which will be issued only upon request of the Department of State. Collectors will take charge of all packages addressed to diplomatic officers of foreign nations which arrived in advance of the receipt of instructions for free duty. Notifications of such arrivals should be sent to the Secretary of the Treasury.

Now, the practice under that regulation is for the embassy to indicate to the Department of State that somebody in the embassy, or a number of persons in the embassy, desire to import some liquor, and then the collector at the particular port is notified that that liquor, or whatever it may be in the way of intoxicating beverage, shall come in duty free. The collectors have the figures. They compile them and send those figures to the customs department in Washington and that department in turn sends them to the Prohibition Commissioner. Now, heretofore we have always been able to procure the amount of importations of all goods and commodities which were made by the diplomats or attachés of the consular offices. We are told, for example, how much olive oil is imported, how much clothing, how much household goods, but we can not find out, I have not been able to discover, how much liquor they import. Why secrecy? Is there any need for secrecy in that regard? There must be something wrong if we are unable to get those figures, and I am sure you will all quite agree with me that they should be made public. They always were made public prior to pro-hibition. Why not now? Why should they be hidden from Members of Congress at this present day? Well, it seems to be quite notorious that you can get embassy liquor of all sorts. Benedictine and crême de menthe, vermouth and crême de cocoa, Haig and Haig and Dewar's Scotch, Bushmills Irish, Martel and Hennessy brandies and Canadian Club whisky, and many other foreign brands, quite readily in the city of Washington. It spills over legal barriers, and you can readily procure it in Mr. MICHENER. Mr. Chairman, will the gentleman yield there?

Mr. CELLER. In a moment.

Now, trucks gather these diplomatic importations at the Canadian border, at Baltimore, and New York, and they come to have something that I want to disclose.

Washington under Government escort. There, by a house-tohouse delivery the embassies are furnished with these delectable refreshments

We are told that just before Christmas several hijackers attacked one of these trucks and were about to deprive the diplomatic community of about \$10,000 worth of Christmas cheer. And, furthermore, see how far this diplomatic immunity is carried. I recall an instance where, in one of those dance or amusement places in Washington called the Madrillon, one of the clerks or attaches of an embassy had liquor on the table. He was accompanied by one or two female companions. The agent seized the liquor. The attaché was apprehended but soon let go when he declared his identity and claimed immunity. His ladies were held. His two companions suffered when he, with diplomatic immunity, went unpunished. There is something fundamentally wrong about this discrimination. Surely it is undemocratic to deny to one group of persons that which is not denied to another group of persons. Both drys and wets can subscribe to that principle. I am sure no harm will be done to diplomacy if we take away this immunity. Our citizens want the same privileges or immunities that everyone here enjoys

Mr. MICHENER. Now will the gentleman yield?

Mr. CELLER. Yes.

Mr. MICHENER. Does the gentleman believe in the eight-

eenth amendment?

Mr. CELLER. I believe in the eighteenth amendment if it can be enforced. I believe in the principle underlying it namely, temperance. Since it can not be enforced we should drop it. But since we have tried it for 10 years and have been unsuccessful there must be something wrong with it. I am trying to get some sort of modification. After 10 years we must come to the conclusion that the eighteenth amendment is unenforceable.

Mr. MICHENER. The gentleman, as a very intelligent man, has taken much interest in this matter, and has taken up much time in the House in the last few years in discussing this Does the gentleman believe in the principle involved question. in the eighteenth amendment?

I say, evidently the gentleman does not believe in the principle involved. The next question is this: The gentleman has concerned himself, as I suggested, with this question. Have his efforts been for the purpose of enforcing the law or for the purpose of discrediting the law?

Mr. CELLER. I offer these facts for whatever they may be worth to anybody in this Chamber or to the whole country. my mind the only conclusion you can come to from facts of this sort is that the eighteenth amendment is unenforceable.

Mr. MICHENER. But the gentleman-

Mr. CELLER. I refuse to yield further. I am sorry. But

think I have answered the gentleman.

Mr. MICHENER. The gentleman evidently has missed the point of my question. Certainly he has not answered it, I admire the gentleman's courage. I asked him whether his efforts have been directed to the purpose of assisting the enforcement of the eighteenth amendment or to breaking down and destroying it?

Mr. CELLER. I can not after its 10 years of failure subscribe to any kind of a doctrine or any kind of plan or procedure that seeks to enforce the eighteenth amendment, because all the money used to enforce it would be absolutely wasted and hopelessly expended. I think it is like a rope of sand. Whatever funds you might appropriate would be just as useless as endeavoring to whisper in the ear of a corps or pouring water through a sieve.

Mr. LAGUARDIA. Would the gentleman be in favor of severing relations with those countries that import those liquors? Mr. CELLER. I do not think we have to do that. If it is a

matter of treaty negotiation, I think we have a right to call upon the President with the advice and consent of the Senate to deny those privileges to diplomats which are denied to me or

any other citizen.

Mr. LAGUARDIA. The same rights are afforded here to a representative of a foreign country as are accorded to our representatives by foreign countries, as, for example, in the importation of Boston baked beans.

Mr. CELLER. No. If only a diplomat could import Boston baked beans, I contend that the other people there should have the same right; otherwise they would have just grounds for complaint.

Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. CELLER. I would like to have seven more minutes. I

Mr. AYRES. Mr. Chairman, I give the gentleman seven more minutes

The CHAIRMAN. The gentleman is recognized for 10 min-

utes more

Mr. CELLER. Mr. Chairman, I have brought here something to show the anomalous situation of which I told you at the inception of my talk. I show you here [exhibiting a bottle] something called a "tonic." It is produced and bottled in my town in great quantities. You can readily identify it in any drug store. It is alleged to be a "tonic"—maybe it is. It is good to drink. It is made from white Tokay wine and is bottled under a permit—permit N. Y. H. 13369—authorized by the Commissioner of Prohibition. What a farce! What a joke! Mr. GREEN. Mr. Chairman, I rise to a parliamentary in-

quiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN. I would like to inquire of the gentleman what is in that product that he is exhibiting?

I refuse to yield to a parliamentary inquiry. Mr. LAGUARDIA. Mr. Chairman, I make the point of order that the gentleman from Florida is out of order.

Mr. CELLER. I do not offer this just to be smart or even

I am quite serious. facetious.

Mr. GREEN. I make the point of order that the speaker is out of order when he exhibits the contents of a bottle and does

not tell us what is in it.

Mr. CELLER. I am going to tell the gentleman. to the gentleman from Florida that I will not only tell him what is in it but offer him some if he wishes it. This is a wine product. It is nothing but white Tokay wine with a 20 per cent degree of alcohol, or 40 proof, as they call it in the trade, and there, I believe, is a slight trace of pepsin in it. It tastes very much like the famous French appetizer called " Dubonnet.'

Mr. GREEN. Mr. Chairman, I insist on the point of order.

Mr. CELLER. It is legal and it can be purchased in drug

stores, grocery stores, department stores, Mr. GREEN. Mr. Chairman, I submit that the gentleman is exhibiting something that is in violation of the law and in doing so he is violating the rules of the House. I insist on the point of order.

The CHAIRMAN. About one year ago a similar matter was under consideration and the Chair has asked the parliamentarian to refer to it.

Mr. LAGUARDIA. Will the gentleman from New York inform the committee that it is being sold under permit?

Mr. CELLER. Yes; it is being sold under permit. It is a lawful product for that reason.

Mr. LAGUARDIA. Tell your colleague it is sold under per-

Mr. GREEN. I insist on the point of order.

Mr. CELLER. In order to quiet the gentleman from Florida-

The CHAIRMAN. The gentleman will suspend until the parliamentarian refers to the ruling directly bearing upon this matter, when an identical matter was under consideration a

year ago.

Mr. LAGUARDIA. Mr. Chairman, I desire to be heard in opposition to the point of order which the gentleman from Florida makes, his point of order that the gentleman from New York, who now has the floor, is violating the rules of the House, to quote the gentleman from Florida's own words, because he has in his hands a bottle the contents of which the House is not informed. Now, it is no violation of the House rules for a speaker to offer an exhibit, whether or not the contents of the particular exhibit or the possession of it is a violation of law. That is the responsibility of the gentleman who now has the I submit it is no more a violation of the rules to display a bottle than it is to display a map. The gentleman has already stated to the committee that what he has in his hands is sold under the law under a permit and the permit is stated on the

Mr. GREEN. But, as I understand it, the gentleman from New York in his speech has stated that it contains 20 per cent or more of alcohol and therefore it is an intoxicating beverage, and if that is the case I insist that the gentleman is out of order.

Mr. LAGUARDIA. Every tonic contains alcohol, even hair tonic. If the gentleman will give attention to conditions in

his own State of Florida—

Mr. GREEN. I will say to the gentleman that my State is dry.

Mr. LAGUARDIA. It is rotten wet, and that is why you have all the people there.

Mr. GREEN. I beg the gentleman's pardon. He does not know conditions there.

Mr. LaGUARDIA. I have seen them. I have been in your

hotels and seen it served openly.

Mr. MICHENER. Mr. Chairman, I want to impress upon the Chair the statement made by the gentleman from New York when he says this is a drinkable substance; that it contains 20 per cent of alcohol by volume, and that it is used as a beverage.

Mr. CELLER. No; I did not say that, Mr. MICHENER. No other inference could be drawn from what the gentleman said. He said, in fact, it was wine; he named the kind of wine and stated it had a slight tinge, as he said, of pepsin. Therefore it certainly would be intoxicating.

The Chair, I hope, is able to take judicial notice of the fact of what is or is not intoxicating, and if the Chair follows the holdings of the courts in this land to-day, he will conclude that what the gentleman holds in his hands is intoxicating. I insist that if it is intoxicating and that if it is in violation of the law of the land, to possess an intoxicant for beverage purposes, that it certainly is a violation of the rules of the House to bring that which is a violation of the law of the land into the House, and openly proclaim that he has in his possession and that there is being sold throughout the land a thing which is in violation of the law.

Mr. CELLER. May I be heard on the point of order, Mr.

Chairman?

The CHAIRMAN. The Chair will be pleased to hear the gentleman briefly.

Mr. CELLER. Yes; I will be very brief. Of course, Mr. Chairman, I have no desire to bring anything of an intoxicating nature into the House if it is a beverage, but as I said at the inception of my remarks this is a tonic, and that is clearly indicated upon the label on the bottle, where it is stated that it is a constitutional tonic; an appetizing, bloodbuilding preparation. It happens to contain 20 per cent by volume of alcohol, but, as I stated, it is medicated with pepsin or peptonoids. There may be only a small trace of pepsin, but yet it is sufficiently medicated so that they have a permit. Thus, since it bears the seal of Government approval or "permit," it is perfectly legal to buy, sell, carry, drink, and bring it into this Heres. into this House.

Mr. LaGUARDIA. May I say to my colleague that if he does not watch his exhibits they will get into the hands of the

drys and he will lose them.

Mr. BEEDY. I make the point of order that the gentleman is out of order, inasmuch as he has not addressed the Chair.

The CHAIRMAN. The point of order is sustained and the gentleman will be seated. The gentleman from New York [Mr.

CELLER] has the floor on the point of order. Mr. CELLER. Mr. Chairman, as I endeavored to state before I was interrupted in an unparliamentary manner, I assure you I have no intention to bring anything into this House which might be deemed unlawful. This exhibit, as I said at the incep-tion of my remarks, was issued under a permit that came out of the office of the Commissioner of the Prohibition Department. It is just as lawful, therefore, as any medicated product that contains alcohol that you could buy in any drug store. It just so happens I purchased this in a drug store in Brooklyn, and I purchased it as a tonic, and I was told it was a tonic, and sub-sequently I discovered that what was a tonic, and may be for certain purposes a tonic, is nothing but Tokay wine, a wine which we know to be fortified with brandy of a percentage by volume of alcohol of 20, medicated with pepsin or peptonoids.

Now, it just so happens that there is only a small amount, as I gather from my knowledge of chemistry and of these ingredients, of peptonoids, merely to give it flavor, a certain bitterness, probably to make it somewhat unpalatable, yet anyone tasting that beverage would have his appetite whetted for an additional quantity. It gives no sense of repletion like a food would give, and it may be unlawfully used as a beverage, but it is not an unlawful beverage. It may be abused in its use, but as it has been sold it is perfectly lawful.

But this is what I desired to convey to the membership of the boundary of the absurdity of prohibition, the boundary.

House. Because of the absurdity of prohibition, the hopelessness of enforcing it—

Mr. GREEN. Mr. Chairman, I make the point of order the gentleman is not addressing himself to the point of order.

The CHAIRMAN. The gentleman will confine himself to the point of order.

Mr. CELLER. I have concluded, Mr. Chairman.

Mr. LEHLBACH. Mr. Chairman, I desire to be heard very

Mr. LEHLBACH. Mr. Chairman, I desire to be heard very briefly on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LEHLBACH. Whether this exhibit is permissible on the floor depends on the character of the exhibit and not on what the gentleman from New York thinks or says it is. This is a medicine, sold in the open market, and with the approval of

the United States Government, under a permit issued by the Internal Revenue Bureau. If that is the case, there is no reason for barring it from the floor of the House or barring it from the possession of anyone. Because the gentleman from New York [Mr. Celler] makes assertions or allegations concerning it which are not proof or evidence of anything, that has no bearing, because the exhibit must stand on its own merits and on its own character.

Mr. LINTHICUM. Wil Mr. LEHLBACH. Yes. Will the gentleman yield for a question?

Mr. LINTHICUM. Does not the gentleman remember the decision of last year when Doctor Sirovich, a Member from New York, wanted to use certain exhibits here? question of what was contained in those exhibits, but it was a question of getting unanimous consent of the House to produce those exhibits on the floor here.

Mr. LEHLBACH. I do not know whether the cases are on

the same basis or not.

Mr. LINTHICUM. I remember that very well.

Mr. GREEN. Mr. Chairman, the gentleman from New York, in the course of his speech, has stressed the fact that it contains 20 per cent alcohol and that something was placed in it to give it an unpalatable taste. Then the gentleman mentioned that pepsin was mixed with it in order to make it a little more palatable, and the whole trend of the gentleman's speech is that the contents of this bottle are being used as an intoxicating beverage, and therefore I contend it is out of order.

Mr. MICHENER. And, if the Chair will permit, the very purpose in bringing it here, as stated by the gentleman himself, is to bring to the House the fact that there are being vended and sold in the country intoxicating liquors under misbrand. There could be no other purpose that the gentleman could have in bringing that remedy in here, any more than if he brought in a a pound of Epsom salts or any other medicine or remedy. real purpose in bringing the matter here is to call to the attention of the House the fact that he holds in his hands a beverage which is in fact intoxicating and which is being sold in violation of law under the permit of and with the consent of the officers whose duty it is to enforce the law.

Mr. TILSON and Mr. BLACK of New York rose.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut.

Mr. TILSON. Mr. Chairman, I understand that this was brought in and offered merely as an exhibit to illustrate some portion of the gentleman's remarks.

Mr. MICHENER. Oh, no.

Mr. TILSON. Perhaps, I was misinformed. I was out of the House when the gentleman began his remarks. But is not this the usual case of an exhibit, for which the gentleman would have to have unanimous consent, and that is all there could be to it so far as the rules of the House are concerned.

The CHAIRMAN (Mr. Ketcham). The Chair is ready to rule. It seems to the Chair that the gentleman from Connecticut

[Mr. Tilson] has stated the real heart of the matter in respect

to this point of order.

The Chair refers to section 427 of Jefferson's Manual where he finds this statement which seems to be controlling:

A Member has not a right even to read his own speech, committed to writing, without leave.

And further, from section 891 of the rules, the Chair finds this

The reading of papers other than the one on which the vote is about to be taken is usually permitted without question, and the Member in debate usually reads or has read such papers as he pleases, but this privilege is subject to the authority of the House if another Member

Objection has been made by the gentleman from Florida [Mr. GREEN] and it seems to the Chair that the statements from the manual and from the rules are controlling, and therefore the Chair sustains the point of order, that if the gentleman from Florida [Mr. Green] objects to the gentleman from New York [Mr. Celler] displaying this article the gentleman from New York must remove it, and the gentleman from New York will proceed in order.

Mr. LEHLBACH. Mr. Chairman, the point of order should have been raised when leave was impliedly requested. exhibits are brought here, as the manual says, as a matter of course it is admitted unless there is objection; but objection is to be made, as all objections are, at the time the exhibits are

The CHAIRMAN (Mr. KETCHAM). The Chair does not think the position taken by the gentleman from New Jersey is correct. The point of order was made as soon as the purpose of the gentleman was apparent. The point of order was made in proper time. The Chair sustains the objection raised by the gentleman from Florida, and the gentleman from New York will proceed in order.

Mr. GREEN. Mr. Chairman, what has taken place after the point of order was sustained should be stricken from the RECORD.

Mr. Chairman, a parliamentary inquiry. Mr. MICHENER.

The CHAIRMAN (Mr. LUCE). The gentleman will state it.
Mr. MICHENER. During the absence of the present occupant of the chair the then Chairman overruled a point of order and suggested that the gentleman from New York proceed in order. The gentleman [Mr. Celler] having the floor has in his possession, as he has stated to the House, a bottle which contains a liquid substance which he says is 20 per cent alcohol; that it is potable, and is used as a tonic or beverage; that it is sold on the market, and he presents the bottle for the purpose of stating that the law is being violated; that he holds in his hand an article sold in violation of law.

Mr. CELLER. No, Mr. Chairman; I did not say that. I did not say it was unlawfully purchased or unlawfully sold or that it was potable as a beverage or used in any illegal fashion.

Mr. MICHENER. That was the plain inference from the gentleman's statement. The point was made that if this substance was an intoxicating beverage, as contended by the gentleman when he presented it, it would be a violation of law for him to possess it openly and flaunt it to the public. Therefore, it was my conclusion that it would certainly be a violation of the rules of the House unless the House wanted to abrogate its rules by unanimous consent, and he has not asked unanimous consent.

Mr. CELLER. Mr. Chairman, I respectfully take exception to the characterization of my remarks by my colleague from Michigan. I did not say, nor did I by any inference indicate, that this liquid was unlawful. I clearly indicated that it was

issued under a permit.

The CHAIRMAN. Objection is made to the display of the article in question. The Chair is ready to rule, and the gentleman from New York can not proceed until the article in question

is removed from the Chamber.

Mr. CELLER. I assure you, my good friends, it was not my intention to bring anything of an unlawful character into the House. Let the bottle, of course, be removed. I am sure you gather the plain intent of my bringing the tonic here. It gives dramatic carriage to the idea of the hopelessness of prohibition, its hypocricy and deceit.

Mr. BEEDY. Mr. Chairman, I make the point of order that the ruling of the Chair has not been complied with; the article has not been taken from the Chamber, but has been secreted in

the messenger's desk. [Laughter.]

Mr. CELLER. At the beginning of my talk—and I say this for the benefit of those who were not in the Chamber at the time—I said I desired in all sincerity and good faith to point out certain anomalous situations that cluster around prohibition. It was not my purpose to be facetious or smart, but to bring out facts, and I did show by the increased manufacture of malt sirup and corn sugar and wine that there were violations of the prohibitory statute all over the land. I ask, What are you going to do about it? I ask in all sincerity. I also answered some questions by saying that prohibition is not the solution, and if it is not we must effect some changes, that we must not blind ourselves to the facts that stare us in our face and leap out at us, as it were. I say that we must experiment and try something else. Only by trial and error will true temperance come. [Applause.]

Under extension of remarks I submit a statement obtained from the Department of Commerce showing exports from Canada and imports into the United States of intoxicating beverages.

Trade of Canada with the United States [Exports from Canada to the United States]

Alcoholic beverages	1926	1927	First 10 months 1928
Total	\$21, 454, 310	\$23, 772, 829	\$19, 312, 304
Ale and beer	5, 521, 902 15, 475, 270 457, 138	5, 455, 841 17, 884, 043 332, 945	4, 209, 012 14, 788, 879 314, 413

Is this not proof positive of a tremendous illicit traffic-a traffic in the face of all the absurd praises of prohibition? Notice the yearly increase. The total figures for 1928, which I was unable to procure, would show a tremendous increase over 1927. This vast quantity of liquor carefully kept track of by the Canadian Government through consular invoices flows into the United States despite a rigid border control,

An examination of the Balance of International Payments of the United States tells the same story. Assistant chief of finance and investment division, Ray Hall, Department of Commerce, in the pamphlet entitled "Balance of International Payments," 1926, said:

SMUGGLING OF LIQUORS

The official balance of payments for 1924 was the first to contain an estimate of illicit-liquor imports. This was based upon a careful study of the recorded imports and exports of liquor of border and distant countries. The total was estimated at \$40,000,000. This, in the opinion of some officials connected with the Customs Service, was low; but some prohibition-enforcement officers, on the other hand, challenged it as too high.

In the official balance of payments for 1925 the same figure, \$40,000,000, was adopted. The estimate is necessarily a rough one, but it will be adopted for 1926 as the net sum actually paid to foreigners on this account. According to official Canadian statistics, Canada exported to the United States during 1926 whisky valued at \$15,475,270 and ale and beer valued at \$5,521,902, and other alcoholic beverages, raising the total to \$21,454,310. Smuggling out of Canada must have increased this figure. In addition, it appears that rum running along the Atlantic coast from Europe and the West Indies is a feator.

Mr. Hall "got the devil" from prohibitionists in publishing these truths, and the figures for subsequent years are not available to us. In the pamphlet entitled "Balance of International Payments, 1927," Mr. Hall says the following:

The last three bulletins on balance of payments have contained estimates of the sums paid to foreigners for smuggled liquor, as indicated by the recorded exports of liquor by border and other countries. A section of the press stressed these estimates to the exclusion of the more important results of the surveys, and certain public officers found ground to object to such publicity. Similarly there are objections to publishing "official" estimates of the smuggling of narcotics and other articles, of understatement of imports to evade ad valorem duties, or of loss by bad debts in foreign trade. Yet this group of items has an important influence on the balance of payments; its debits are much greater than its credits. The best way to meet the situation seems to be to bulk all the estimates in the group. By this method the writer concludes that, for the special purpose of a balance of payments, a debit entry should be made in the commodity group of items of about \$189,000,000 in 1927 and of about \$180,000,000 in 1926. Estimated payments by American exporters to foreign consular offices in the United States for consular invoice fees are also included in this debit entry; in some instances these fees are so high as to resemble taxes.

I herewith submit a letter which I wrote Prohibition Commissioner Doran and his reply thereto:

JANUARY 16, 1929.

Hon. JAMES M. DORAN,

Commissioner Bureau of Prohibition,

Treasury Department, Washington, D. C.

DEAR DOCTOR DORAN: I have searched in vain for data concerning the amount of wines and liquors imported into this country since prohibition for diplomatic uses.

Based upon international custom and comity, duties on goods imported by consular and diplomatic offices are remitted. The Treasury Department, through the collectors, keeps a record of those importing and the amount and kinds of goods brought in.

Section 405 of Customs Regulations is as follows:

"Members and attachés of foreign embassies and legation may receive articles imported for their personal or family use free of duty upon the department's instructions in each instance, which will be issued only upon request of the Department of State, * * * Collectors will take charge of all packages addressed to diplomatic officers of foreign nations which arrive in advance of the receipt of instructions for free duty. Notifications of such arrivals should be sent to the Secretary of the Treasury."

The publishing agency for giving out the information concerning diplomatic imports is the Department of Commerce. That department gives me the following figures of imports for diplomats and consuls, exclusive of liquor:

Fiscal years:	Value
1919	\$67, 309
1920	72, 891
1921	47,904
1922	34, 339
1924	45, 565
1925	69, 150
1926	36, 353
1927	83, 133

The above merely includes clothing, olive oil, household effects, etc., but no liquor. The Department of Commerce says it can not publish liquor imports because it has been refused the information by both the Bureau of Customs and the Prohibition Bureau. It published the liquor data prior to 1919 because it received the data from the Treasury De-

partment. Amounts were then inconsequential because liquor was easily purchased here prior to prohibition.

Why the secrecy? Why the concealment? Is the amount now imported so staggering? Will publication cause a scandal?

I have discovered that most of the liquor comes by way of Baltimore—the nearest port to Washington—and armed Government guards escort the trucks into the Capital City and deliveries are made at the embassies and homes of foreign officials in a sort of house-to-house delivery.

The Washington Post recently told how two highjackers imperiled the transportation of a truck load of rare wines and liquors destined to bring Christmas cheer to several legations.

These trucks, thus guarded by United States officials, are frequently seen on the highways from Baltimore and Washington. Some come down from Canada and New York under Government escort.

It is common knowledge that much of this diplomatic liquor trickles down the throats of many who do not wear the braids of diplomacy, Diplomatic liquor is peddled all over Washington.

There is a well-defined market for benedictine, chartreuse, crême de cocoa, crême de menthe, Paul Roger and Moet & Chandon champagne, as well as French Three-Star Martel and Hennessy brandies, Bushmill's Irish, and Haig & Haig, and Dewar's Scotch whiskies.

Not long ago at the Madrillon, a restaurant and dance place in Washington, prohibition or police officials broke up a table where liquor was used. I believe two girls were arrested and later released. Their escort was untouched. He claimed immunity as an attaché of an embassy. It was his liquor. I doubt the validity of such a claim as to liquor in a public place.

However, the incident shows the extreme to which diplomatic-liquor immunity may be pushed.

I desire for public purposes, therefore, the amounts of liquor imported by consular and diplomatic officials. We may watch them drink, but, unless you tell us, we may not know how much they drink.

Very truly yours,

EMANUEL CELLER.

JANUARY 17, 1929.

The Hon. EMANUEL CELLER,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have received the letter of January 16, 1929, from your office requesting that you be furnished statistics showing the amounts of liquor imported by consular and diplomatic officers for beverage purposes since prohibition.

I desire to invite your attention to House Document No. 598, Sixty-seventh Congress, fourth session, from which you will note that similar information concerning the importation of intoxicating liquors by the members of foreign missions in Washington was requested of the Secretary of the Treasury in House Resolution No. 503, and that the Secretary of the Treasury replied under date of February 13, 1923, to the chairman of the Committee on the Judiciary that the Treasury Department could not properly give out any reports or other information as to importations of intoxicating liquors by foreign diplomatic representatives in view of their diplomatic status and the protection of persons and property which that entitles them.

As to the privileges and immunities to which a foreign ambassador, duly accredited to this Government, is entitled, I have to refer you to a letter dated February 20, 1923, addressed to the Speaker of the House of Representatives by the Secretary of the Treasury, which is also included in House Document 598, and which reads as follows:

"In permitting the free entry of intoxicating liquors consigned to representatives of foreign governments having a diplomatic status in the United States, the Treasury acts in accordance with the established principles of international law and the statutes of the United States, including the provisions of sections 4063 and 4065 of the Revised Statutes of the United States."

I am, sir, very truly yours,

J. M. DORAN, Commissioner.

Mr. FRENCH. Mr. Chairman, if the preparation of the Navy appropriation bill and its presentation to this body were limited to the consideration of ships and provisions and fuel and docks and guns and armor and machinery and long columns of figures representing money, it would be a dreary and monotonous task that your committee would be called upon to perform.

Only to one whose vision is limited can the great supply bill for the Naval Establishment carry any such meaning. The bill that you are called upon to consider is concerned with engineering and scientific investigations that are of incalculable value to commerce and industry and progress; it is concerned with efficiency in use of coal and fuel oil, with the procurement of helium, with the discovery and adaptation of means of radio communication and the development of electrical energy; it works through its laboratories and experiment stations; it is concerned with health, and through its hospitals and medical staff is making its contribution to public welfare; it is concerned with programs of relief in hours of disaster on land and sea; it is concerned with navigation, with charting new lanes for commerce, and protecting and fostering trade; it is bound

up with the relationship of your country to other powers; it | marks the measure of your country's responsibility in world affairs; it has to do with programs that mean peace or war, stability of civilization, or its destruction. The very money totals may be translated into terms of human life and human welfare.

The appropriations for the support of the Navy for the several years commencing with 1921 have been as follows:

Appropriations

Direct	Indirect	Total
1 \$433, 279, 574. 00		\$433, 279, 574. 00 410, 673, 289, 23
294, 873, 697. 00	2 \$8, 000, 000. 00 35, 450, 000, 00	302, 873, 697. 00 329, 906, 528, 00
275, 105, 067, 00 302, 862, 378, 00	22, 500, 000. 00	297, 605, 067. 00 302, 862, 378. 00
319, 917, 575. 00 338, 826, 626. 22	5, 000, 000. 00 5, 945, 000. 00	324, 917, 575, 00 344, 771, 626, 22 364, 233, 362, 00
	1 \$433, 279, 574. 00 1 410, 673, 289. 23 294, 873, 697. 00 294, 456, 528. 00 275, 105, 067. 00 302, 862, 378. 00 319, 917, 575. 00	1 \$433, 279, 574, 00 1 410, 673, 289, 23 294, 873, 697, 00 294, 456, 528, 00 275, 105, 067, 00 302, 862, 378, 00 319, 917, 575, 00 338, 828, 626, 22 5, 904, 000, 00

1 Naval act only.

2 Maximum.

The pending bill carries as it is reported by the Committee on Appropriations \$347,450,488 in direct appropriations, and in addition a reappropriation of \$1,128,500, contract authorization in the amount of \$10,000,000, and authorization to draw upon the naval supply account fund to the extent of \$3,500,000.

With the exception of the current year's appropriation this is the largest bill for the support of the Naval Establishment since the conclusion of the treaty limiting naval armaments.

Should the cruiser bill that is pending in the Senate become a law more money may need to be added to the construction program, and unquestionably additional funds will be required through deficiency bills on account of our service in Nicaragua and the Orient; and probably increased expenditures on account of additional costs of submarine construction, where the earlier estimates as to costs have proven too low.

SHIPS IN COMMISSION

Next year we plan to have in commission approximately the same ships that we have in commission to-day, and to increase the number by five cruisers that are under construction and by two submarines of the V type.

OFFICERS AND ENLISTED PERSONNEL

The situation touching officers and enlisted personnel ought not to change greatly from year to year. We have at present, or as of September 30, 1928, 5,378 officers of the line as against an authorized strength of 5,499. The shortage as of that date was but 121 and the officer strength will be filled or practically filled by the graduating class from the Naval Academy of June.

Your committee believes that the officer personnel should be maintained at all times at approximately the authorized strength.

The enlisted personnel was fixed at 84,000 for the current year. For 1930 your committee has increased this number by 500 men, making a total provided for in the bill of 84,500. increased number of men will not meet the number of men required for the complements of the ships that will be brought into commission. Rather your committee expects that the men for these ships will be found chiefly through withdrawing from active service the older cruisers and placing in reduced commission certain other ships, the wisdom of whose present full commission status is open to serious doubt.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield? Mr. FRENCH. I would like to proceed with my statement

and then yield.

Mr. BRIGGS. My question is in connection with the gentleman's discussion of this point. The newspapers report that the personnel is being so cut down in this appropriation bill that they will have to retire a number of ships for the Navy. would like the gentleman to give us some expression upon that.

Mr. FRENCH. Under the current appropriation the enlisted personnel of the Navy is 84,000. The bill that we are reporting proposes to add 500 enlisted men to the personnel of the Navy, making a grand total of enlisted personnel of 84,500. I have indicated that probably five cruisers will go into commission, two possibly in December and January, at approximately one year from now, and the other three at the close of the fiscal year, and these ships will require some 2,400 men. The two submarines will require nearly 100 men in addition. Naturally, as you cast up in your mind the number of men who will be required to man those ships, you will see that the new men—that is 500—will not meet the need. The rest of the enlisted men should be found in the present enlisted personnel. It will not be necessary to retain all of the ships in commission that are now in commission. In other words, we have at this time

five cruisers of the so-called second line, old cruisers. cruisers ought to be withdrawn from the service, and if they shall be withdrawn there will be released more than 2,000 enlisted personnel who can be applied to the new ships that will go into commission. In addition to that, there are certain ships of the naval establishment that by another year ought to be withdrawn from the active commissioned status. It will not require very much reduction, and we have not the slightest doubt that in those ways the personnel can be found that can man the ships that will be in commission, including the ones that will be brought into commission upon their completion.

ALLOCATION OF EXPENDITURES

At the opening of my remarks I indicated that the bill that your committee is presenting at this time carries a less sum than for the current year. The difference is \$14,895,364. Broadly speaking, this difference is on account of two items-increase of the Navy and major alterations of naval vessels. If the cruiser bill shall pass the situation may be altered.

For 1930, on account of the Welch Act, we have added \$800,000, and we were required to include another \$700,000 on account of wage adjustments in the different navy yards. For the Bureau of Engineering the bill carries \$19,686,300, an increase of \$264,600 over the current year. For the Bureau of Construction and Repair we are proposing \$17,927,500, or an increase of \$699,900 over the Budget for 1929. For the Bureau of Ordnance we have made a decrease in the amount of \$282,650, and the figures carried in our bill represent an amount of \$11,669,400.

Your committee has proposed money for the replacement of tools in navy yards to the extent of \$1,500,000 in excess of the amount recommended by the Budget. We did this in the interest of what we believe to be soundest economy. It was disclosed to the committee that through the use of certain types of machinery and tools that are obsolete the cost of work in the placement of material has materially increased. We were advised that it was costing \$2.94 in labor to put into place \$1 of material, whereas with machinery and tools of modern type coupled with efficient labor, the labor cost could be reduced cents for every dollar of material expended. When you think of the large expenditures that must be made annually under the Bureaus of Engineering and Construction and Repair, it is a matter of vital consideration that we give to these bureaus tools and machinery with which they can best accomplish their work.

The program that we have in mind of replacement will cover a period of two years; it will cost \$3,000,000, but it will return, in our judgment, an equal amount of money value through bringing more nearly up to date the items of repair that must be met in the maintenance of the Naval Establishment.

BUREAU OF AERONAUTICS

That your committee recognizes the importance of the aviation arm of the service is apparent from the fact that for years the amounts carried for aviation are in large figures. appropriation is \$31,956,000. The estimate for 1930 is \$31,-The committee recommends \$31,360,000, which is \$596,000 below the current appropriation and \$200,000 under the estimate.

Of the funds proposed for 1930, \$10,000,000 will be employed to satisfy contracts for planes ordered under the authorization contained in the 1929 appropriation, and the bill includes authorization for contractual obligations in 1930 to the extent of \$10,000,000 in excess of the appropriation proposed for such year.

In addition to the direct appropriation for naval aviation there are many instances where expenditures incident to this branch of the service are lodged against other appropriations. For the past three fiscal years the entire expense incident to the air arm has averaged in excess of \$44,000,000 per annum.

The fiscal year 1930 will be the fourth year of the 5-year 1,000 useful plane program authorized in 1926. The pending bill makes provision for the procurement of 273 additional planes to apply on the program, over and above 36 for the Naval Reserve, bringing the total of new planes purchased and to be purchased since the commencement of the program in the fiscal year 1927 to 1.124. When the program started there were 351 useful planes on hand and 288 on order. The predicted status at the end of the next fiscal year on the basis of the estimate is 910 planes on hand and 208 on order. The large wastage figures suggest that we have been proceeding too fast, if anything.

The bill includes \$1,000,000 toward the construction of one of the two rigid airships authorized by the act of June 24, 1926. In explanation of what has been done and is proposed with respect to these dirigibles may I quote from the statement to the committee by the Chief of the Bureau of Aeronautics:

Following the appropriation made for the fiscal year 1929 and based on authority contained in the act of June 24, 1926, contracts for two rigid airships of approximately 6,500,000 cubic feet capacity each were made October 6, 1928, with the Goodyear-Zeppelin Corporation, Akron, Ohio, the winner of the design competition and the low bidder. The contract price for the first ship is \$5,375,000 and for the second \$2,450,000, a total of \$7,825,000 for the two, or \$175,000 less than the limit of cost fixed by the statute.

The first ship is to be completed by April, 1931, and the second 15 months after trials of the first have been completed and the ship removed from the contractor's shed. Contract for the second ship, however, may be canceled without liability at any date prior to the pre-

liminary acceptance of the first airship.

In accordance with the terms of the contract, the contractor is to be paid his actual costs as they are earned, following in this respect the same procedure as is customary in connection with contracts for other naval vessels. The estimated rate of these payments, based on a close study of probable labor roll and material expenditures, is approximately \$150,000 per month, or a total of \$1,800,000 for the fiscal year 1930. To meet this obligation it is estimated that \$800,000 out of the \$2,000,000 available for the current year will remain unexpended and will carry forward June 30, 1929, thus leaving the sum of \$1,000,000 only to be supplied as a new appropriation for 1930.

PERSONNEL UNDER AERONAUTICS

The situation touching pilots in connection with the 1,000-

plane program is not as satisfactory as we could wish. Upon December 1 last, under the 5-year 1,000 useful plane program, we had 959 planes on hand and 192 on order, whereas on September 30, 1928, we had 520 officers qualified as pilots in both the Navy and the Marine Corps and enlisted-men pilots from both of these groups numbering 175, or a total number of

pilots of 695.

On the basis of the figures that I have indicated, our program for the training of pilots is not keeping pace with the procure-ment of planes. Up to the present the main source of officer pilots for the Navy has been from the officer personnel. The number needed, however, is such that it can not be supplied from the officer personnel, and other ways must be found. The bill as it comes to the House from the Budget proposes a more liberal program for the training of reserve officer pilots, and for the coming year we are planning that 75 reserve pilots will be attached to the fleet. This will not meet the situation, but the plan proposed may point out the way for the solution of the

THE NAVAL RESERVE The pending bill does not propose material change in the Naval Reserve situation except as it pertains to the training of The current appropriation for the Naval Reserves is \$4,075,820. The Budget estimate for 1930 is \$4,750,000. The committee is proposing \$4,697,931, or \$622,111 more than the current appropriation and \$52,069 less than the estimate. The expansion proposed under this head is interrelated with the Navy's problem of developing pilots of the desired caliber in numbers sufficient for current and prospective requirements. Like the Army, the Navy, too, is looking beyond its officer school to supplement its officer-pilot personnel; but, unlike the Army, which has authority of law to commission as second lieutenants in the Regular Army qualified aviators of the Officers' Reserve Corps, the Navy, under present law, is restricted in the augmentation of its force of commissioned-officer pilots, outside of Naval Academy graduates, to yearly details to fleet air duty of such qualified Naval Reserve aviators as may consent to serve. This bill makes provision for 75 reserve-officer aviators to be so detailed during the fiscal year 1930, as against 50 the current fiscal year. It is this program and the plan to continue and possibly enlarge upon it that accounts for the additional

funds proposed in the Budget and the pending bill.

The sum proposed in the Budget for the aviation branch is

\$1,684,834.

THE MARINE CORPS

I shall not need to discuss the program touching the Marine Corps as it is indicated in the pending bill. No material change is in contemplation.

We are carrying money appropriations for 18,000 men and for approximately the same number of officers as are provided for in current law, save as this number will be modified by attrition or by normal increase from time to time.

MAY WE REDUCE THE NAVY BURDEN

After thus speaking somewhat of the general situation touching the Naval Establishment and indicating something of the sizable items and the programs provided for in the pending bill, I am going to ask this House to consider with me for a few minutes the question of our naval program as we look ahead.

peace treaty, which has been referred to as the treaty for outlawing of war.

When I remind you, as I have done to-day, that the naval burden upon our people exacts an annual expenditure of something like \$350,000,000, and when I point out to you that unless our naval programs shall be modified as we approach the years that are immediately ahead, our annual expenditure will be vastly greater than it is to-day, it becomes imperative that we pause and consider whether or not a better program may not be devised.

If the people of the United States and the people of foreign countries meant what they said when, through the means provided in the several countries in their organic acts, they ratified the multilateral peace treaty, may we not hope that the immediate corollary of this action upon the part of nations will be the lessening of the burdens of war that rest upon our peoples.

Unquestionably the peoples of the world recognize that by reason of natural resources, a population that is not crowding upon our area, the freedom that we have had from some responsibilities that have weighed heavily upon other nations, the people of the United States are in the strongest position financially and economically of all great peoples of the world. If this is true, then what I indicate in my remarks as a course that ought to be welcome to the people of our country ought to be welcome in even more impelling degree to the populations of Great Britain and Japan and France and Italy, the Germanspeaking peoples, and in fact to the peoples of all nations.

To-day the papers carry a statement by the chief lord of the British Admiralty, Hon. W. C. Bridgeman, indicating that Great Britain is prepared to go still further in reduction of armaments if other nations are prepared to do the same. Mr. Bridgeman

savs:

I don't wish to criticize the number or size of anything America thinks necessary in the matter of cruisers, because I believe that the future peace of the world will be much safer in the hands of countries who have a generous confidence in each other than in the hands of scare mongers who try perpetually to make us believe there is grave risk

I like those words from Mr. Bridgeman. They echo the thought that is in the minds of the thoughtful people on this side of the Atlantic. The people of our country generally and the people of Great Britain generally do not look upon these nations as even potential enemies. They look upon our nations as bound together by such ties of blood and community interests as will make war between them impossible. But even so, as Mr. Bridgeman has stated, when he says Great Britain is willing to cooperate with other nations looking to a reduction still further of armaments, we can not hope for a reduction by going alone. can not attain reduction of armament of the world through the United States making an example and alone reducing. Nations have pride, and, whether it be right or wrong, this very element suggests that the program for naval armament reduction can best be carried forward by teamwork. It can best be carried forward by teamwork on the part of such countries as the United States and Great Britain and upon the part of such nations as were parties to the conference looking to the limita-tion of armaments that met in Washington nearly seven years

Under the terms of the limitation of armaments treaty, page 3, article 21, a treaty that was entered into nearly seven years ago by the five nations of the world that at that time undoubtedly represented the overwhelming power of the world when measured from a military point of view, it is provided that a conference of all contracting powers shall convene as soon as possible after the expiration of the eight years from the will consider what changes, if any, in the treaty may be necessary to meet new developments. This conference will fall due in 1931.

As we look forward to that conference, what have we a right

to expect?

The treaty that it will be called upon to consider did not undertake to limit the number of types or the tonnage of all the types of naval craft. In tonnage the treaty referred to battleships and aircraft carriers alone. But the treaty went further and limited the caliber of guns that could be borne and the numbers that could be carried upon other types.

REPLACEMENT COST

The replacement cost of ships of the Naval Establishment of the United States, in a rough way, may be said to be upward of \$1,200,000,000.

In 1922 we entered into an agreement with other leading nations of the world for the limitation of armaments. Last week the Senate of the United States ratified the multilateral into law, there will be added values of \$275,000,000. You will

then have a grand total of approximately \$1,500,000,000, representing an investment in naval craft by the time the conference will meet, after making allowances for the striking off of present values that in another two or three years on account of obsoleteness or obsolescence will need to be removed.

This brings me to the question, What is the life of a ship?

and, necessarily, the question that goes with it, What is the

replacement cost?

In the Geneva conference that was held nearly two years ago different lengths of life were suggested for different types of ships. Hon. W. C. Bridgeman, for Great Britain, suggested:

Capital ships_____ 8-gun cruisers____ Submarines____ 15

Our own representatives to the conference suggested some-

what shorter periods of life.

Now, as a matter of fact, the life of a ship is in part an arbitrary factor. When we speak of the life of a ship we mean the period of years within which the particular ship will be effective. We recognize that ships that are filled with delicate machinery or machinery that is subject to frequent change must necessarily have a shorter life than ships of sturdier type with less intricate machinery, and where everything pertaining to the ship has come to be more nearly standardized.

If we shall say, however, that the length of the life of a ship is 20 years, it is merely to say that the entire Naval Establishment of our country, if it be kept up to a standard of efficiency suggested by that period of time, will need to be replaced within a period of 20 years.

But I said that the life of a ship is in part arbitrary. Nations are competing with each other not only in numbers of types and in sizes and in range of guns, but in machinery, in devices of all kinds that have to do with greatest effectiveness of

ships as weapons of war.

Upon the basis of an average life of a ship of 20 years, the annual replacement cost of ships of the United States to-day

will average close to \$60,000,000.

In three years from now by the addition of ships that you are proposing to lay down the annual replacement cost will have been increased by from \$12,000,000 to \$15,000,000, or an aggregate total of cost for replacement will have been attained by

One of the things that I could hope the conference of nations that will meet in two years from now will take into consideration would be the fixing of an arbitrary age for the life of ships of various types. If the average life could be extended to 25 years—a proposition that would be as fair for one nation as for another—it would scale down the annual replacement cost 25 per cent, or reduce it \$15,000,000 to \$18,000,000 annually. This would be the effect upon the Naval Establishment of our country upon the basis of its present and proposed strength.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?
Mr. FRENCH. Yes.
Mr. BRITTEN. Of course the replacement of cruisers now in contemplation will not occur until 20 or 22 years from now.

Mr. FRENCH. Of course,
Mr. BRITTEN. Then that expenditure will stop.
Mr. FRENCH. Of course, but the gentleman will also remember that other ships—ships of other types—will be approaching their age limit when these ships will be put into commission. In other words, in order that there may be an orderly program of shipbuilding and replacement going on, necessarily the newer ships will be put at the last end of the replacement program, while the older ones will undergo replacement first of all.

Mr. BRITTEN. And the gentleman I think will also agree with me that of all the cruisers we have, not counting the obsolete ones, none will be ready for replacement for 15 years.

Mr. FRENCH. That is true, but I am speaking of replacement that will occur for the entire Naval Establishment-battleships, cruisers, submarines, destroyers, aircraft carriers, everything that goes to make up the ships of the Naval Establishment.

Mr. MORTON D. HULL. Does the gentleman regard that this cruiser bill now pending in the Senate is a replacement

program?

Mr. FRENCH. Personally I supported the bill a year ago upon the theory that it is part of a replacement program. I believe it is a replacement program, and I think that upon the adoption of that program we ought to wipe out and with-draw from our active fleet all of these old cruisers to which the gentleman from Illinois has referred.

REDUCING NUMBER WITHIN TYPES

When the armaments conference shall meet in some two years from now, why should we not reduce the numbers of ships of

different types whose numbers and tonnage are fixed in the

present treaty?

Of capital ships, the United States and Great Britain are limited to 525,000 tons each; Japan, to 315,000 tons; France and Italy, each, to 175,000 tons. This is the limit following the replacement program that will be complete in 1934. Pending that program, the tonnage of these nations will approximate in relative importance the figures given. Under the terms of the treaty, after 1931, a replacement program may be begun. Some of the older ships will be replaced by new. Three battleships will be withdrawn from our fleet, not to be replaced. Adjustment by replacement and withdrawal will be made likewise in the battle lines of other nations that are parties to the treaty.

But why do the United States and Great Britain require 15 capital ships each, and why Japan 9? Why not 10 each for the United States and Great Britain and 6 for Japan, and cor-

responding ratios for other nations?

Mr. BRITTEN. Will the gentleman yield?

Mr. FRENCH. In just a moment. If we were to do what I propose, having in mind that it would mean a reduction of five capital ships for the United States and the same for Great Britain, having in mind that the replacement cost of one battleship is approximately \$40,000,000, it would mean a saving to the United States Treasury of \$200,000,000 for replacement of capital ships alone, the same saving for Great Britain, and a comparable amount for all the other nations that may be parties to the compact.

Mr. BRITTEN. Does the gentleman believe that if the capital ships, so-called dreadnaughts, are reduced materially in number in all the navies in the world, that in the case of a government having a preponderance of merchant marine that

government would not profit by such reduction?

Mr. FRENCH. Not necessarily. When you speak of reduction of capital ships you would have to equalize through maintenance of other types of ships. There is no question of the advantage to any nation of a strong merchant marine.

Mr. BRITTEN. Then, in the gentleman's estimation, call it suggestion; no, I will not say he is making a suggestion, but an argument; that by reducing the capital ships you are playing into the hands of Great Britain in having the supremacy of the seas.

Mr. FRENCH. No; not at all.
Mr. BRITTEN. The gentleman spoke of the advantage to a nation of a preponderance of sea power in merchant marine, and that would mean Great Britain?

Mr. FRENCH. Other factors are to be taken into accountcruisers, destroyers, submarines, aircraft, and so forth. would not run down merchantmen with capital ships. would use other types and other means.

Mr. BRITTEN. Suppose we are inferior in cruisers to Great Britain; is not the gentleman playing into the hand of Great Britain in offering a suggestion of that kind to the House?

Mr. FRENCH. Not at all. I am offering a suggestion looking to the meeting of the next conference, looking to some elements that ought to be taken into consideration in the shaping of a program at that time. The question the gentleman raises will of course enter into the deliberations.

Mr. TABER. Will the gentleman yield?

Mr. FRENCH. Yes. Mr. TABER. I understand the gentleman from Illinois to mean that the merchant marine takes the place of capital ships in the line?

Mr. BRITTEN. The merchant ship takes the place of a gunboat in the destruction of commerce. The gentleman knows that as well as I do.

Mr. THATCHER. Will the gentleman yield?

Mr. FRENCH. Gladly.
Mr. THATCHER. Would the gentleman state to the House his opinion on the time limit touching the 15-cruiser program, in the matter of their construction?

Mr. FRENCH. The gentleman is referring to the present bill in the Senate?

Mr. THATCHER. Yes.

Mr. FRENCH. Last year when the cruiser bill was being considered in the House I indicated my approval of the program of building 15 cruisers. I said at that time, however, that I was opposed to the time limit. I am opposed to the time limit now on principle, but I said at that time that I did not think that the time-limit feature should mean the defeat of the program. I shall tell you why. From the standpoint of economies in construction and unknown future contingencies the question of the time when a ship should be built should be left for the administration and the Congress from year to year to work out. The Congress now ought not to attempt to project itself into the situation to such an extent that it will undertake to control the amount of money that next year, two years from now, or

three years from now could wisely be put into a particular pro-

Your question leads me to a problem that I had hoped to discuss, and I had just as well do so now; that is the question of orderly construction of and replacement of ships of the Navy. REPLACEMENT UPON THE BASIS OF EVEN LOAD

For the current fiscal year the appropriation bill carried for the increase of the Navy \$54,775,000.

The bill this year, including direct appropriations and reappropriations, contract authorizations, carries approximately \$37,000,000

It is quite likely that it will be necessary for the Congress to appropriate additional sums to complete certain of the fleet submarines. More than that, it is possible that money may be asked for the commencement of construction of ships under the cruiser aircraft program. It is quite conceivable that the amounts appropriated for increase of the Navy for 1930 will exceed \$40,000,000

In my judgment it is of highest importance that new construction work for the Navy shall go forward upon the basis of an even cost per year. We ought to anticipate the future as nearly as may be. We ought to arrange our replacement programs as nearly as may be that an even load of replacement may be carried at all times.

This principle, I believe, is in the interest of sound policy

for two reasons.

It is in the interest of sound policy from the standpoint of international relationships. There is nothing more calculated to arouse the suspicions of rival nations than a vast expanse of building program of the Naval Establishment. Witness the rivalry in Europe that began some 25 years ago. Witness the apprehension as reflected by chancelleries and legislative bodies and editorials of leading papers and magazines of the world every time an unusual program is adopted by any nation. If a definite policy may be worked out and maintained looking to an even flow of replacement of ships of our Naval Establishment, and if that policy may be so reasonable as to meet with the natural accord of other great nations, it will go far toward maintaining friendly relations between the peoples of the United States and of foreign lands.

An even program of replacement should be adopted and followed for economic reasons. It should be adopted and followed in the interest of economy and efficiency in construction. should be adopted in the interest of and for the greatest wellbeing of the men who are employed in all types of work in navy yards, from the skilled designers and technical forces, upon the one hand, to the skilled artisans and craftsmen upon the other.

It is nothing less than disastrous for fluctuations to occur in the steady run of work of a type that requires training and skill and where it is not easy for those who are trained and acquainted with the work to adapt themselves to other lines in event of a slack period, and when it is quite impossible in a short period of time to build up an adequate personnel with any degree of fitness and skill for the carrying forward of the work.

When the World War came to an end there were something like 25 private shipbuilding establishments in the United States of rather sizeable dimensions. We had something like six navy yards under the Federal Government that were capable of carrying forward ship construction of types up to and including the cruiser and a less number that were capable of building ships of

the first line. Then what happened?

Ship construction in the United States almost came to an end. We have to-day less than one-half the private yards in the country that we had 10 years ago. The navy yards of the Government reduced their forces, dismantled their ways, put out of use and out of repair machines and tools that with the slowing down of construction work were no longer needed.

From the point of view of economy and efficiency, it seems that I need hardly do more than call to the attention of the House the situation that I have just outlined to indicate its

utter ruthlessness.

Properties in navy yards were reduced in value. As to much of the property there was no salvage. Financial disasters overtook private builders. Men who were skilled in drafting, in designing, in working out details of construction, men who were equally skilled in the shops as artisans and craftsmen of all kinds were dismissed from their employment. They sought out new activities in which they could earn a living. Their places were not taken by new employees because there was no demand. Can you realize what such a revolution as that meant to an industry from an economic point of view?

Consider for a moment the other angle of the question. Suppose that after a program of no replacements being carried forward, it should suddenly be agreed that large replacements would be the order of the day. It could well be that the present shipyards under the Navy and under private ownership would not be adequate to carry forward the work. It might well be that new companies would be organized and new plants built. Whether or not this would be true, a reaction that inevitably would occur would be the reaction of competition of companies. upon the one hand, against the Government, and the Government against the companies, upon the other, for the assembling of forces in the technical room, in the drafting room, forces of machinists and technicians capable of carrying forward efficiently and well. More than that, new men of limited experience or no experience at all would be inducted into service in blocks too large to be properly absorbed.

To barely recite that which I have outlined is again to indicate the enormous inefficiency that would necessarily flow from

such procedure.

Consider the question from the standpoint of the employee of the navy yard or of the private shipbuilding concern, and what I say now has reference to all employees. Navy-yard employees are a fine type of men. Those employees are of the type on which the best in our Nation rests. They are trained; they are skilled; they are industrious; they are men who love home; they have families, many of them, and probably most of them. They are not different from other people in their desire to acquire a property that they can call home. They want to able to make plans for community life, plans for the education of their children, plans as they look ahead for advancing on through the years, during the rearing of a family, and plans for the laying by of something for the day when the earning power may be less.

To people such as I have just referred, a program of vacillation, a program that means the building up of navy yards during a period of two or three years only to see them dismantled during another period of two or three years is nothing less than tragic and disastrous.

Mr. OLIVER of Alabama. May I say, in connection with the very interesting and thoughtful statement the gentleman has made, and one which, I am sure, will commend itself to the business judgment of the House, that it is important to remember, if we are to keep an even load of replacements, to add each year proper types of ships to the Navy, so that we can be sure of replacing in an orderly way those types of ships needed to be replaced and not add simply certain types to the exclusion of all others.

Mr. FRENCH. The statement made by the gentleman is absolutely correct and it is pertinent in connection with the time-limit principle as applied generally. I think the gentleman will agree with me, however, that so far as the cruisers that are now proposed are concerned they do constitute a type which could fit into the replacement program most economically and, very wisely from the standpoint of national defense.

Mr. OLIVER of Alabama. I think that was the opinion of

every member of the subcommittee.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. COLE of Iowa. I have no desire to interrupt the gentleman's speech, because I am always interested in what the gentleman who now has the floor has to say on these subjects, but I would like to ask this question: Is there anything in the claim that by the time we get the 15 new cruisers built they will be obsolete? For instance, the statement is made, as published in the newspapers a few days ago, that in Germany they have invented a new kind of cruiser, one that is lighter than our 10,000-ton cruisers, one that carries more guns, one that carries 11-inch guns, and one that has a speed of 20 knots an hour.

It is claimed by those who oppose this cruiser program that with such new developments under way in other nations it is believed that by the time we could get these cruisers completed they would be obsolete. Is there anything in that expressed

fear, in the opinion of the gentleman?

Mr. FRENCH. I would say in reply that the question of obsoleteness is always a relative one. As to some types of ships and some methods of warfare and defense changes occur very slowly and gradually while as to others changes occur very rapidly. I think that so far as our committee is concerned the most rapid changes of all are occurring with airplanes, where, for instance, airplanes that three years ago stood as the most approved and best type are to-day so well on the road of obsolescence that the department is putting them out of service as fast as they can be replaced. Now, what I say with regard to airplanes is not true with regard to cruisers. I am acquainted with the reports in the papers touching the type of cruiser that the German people are said to have developed. I do not know any more about it than the papers have indicated, but I would say that as to a ship of the cruiser type I would hope and believe that replacement on account of obsolescence would not be so fast as to make any cruiser that we would build in another several years, in the light of the information we now

have, so obsolete as to call for its being thrown into the discard before a reasonable time of life. That is a question, though, that will need to be met as we undertake the construction of the cruisers, and it is a question, too, that again goes back to the time element. The Congress and the administration ought to be free, as a matter of general principle, to take advantage of anything new that comes along to slow up, if necessary, and not be projected into a construction program just because it is said by law that certain ships must be built before a certain I do not think the change in major ships is going on so rapidly that we need to feel that obsolescence is going to overtake them and that they will be worthless within a comparatively short period of life.

Mr. ANDREW. Will the gentleman yield? Mr. FRENCH. Yes.

Mr. ANDREW. Are we not estopped and are not the British also estopped from constructing a cruiser with 11-inch guns, as the Germans are reported to be constructing? Are we not estopped by our agreement?

Mr. FRENCH. Under the agreement we could not put 11-inch

guns on cruisers: no.

Mr. COLE of Iowa. If we adopt this program for 15 cruisers now and if some new invention should be made or some new type developed we could avail ourselves of that : could we not?

Mr. FRENCH. We could to the extent that it would be within the treaty. The particular feature, however, touching size of guns, we could not avail ourselves of because of the treaty.

Mr. BRITTEN. Will the gentleman yield?
Mr. FRENCH. Yes.
Mr. BRITTEN. The gentleman, of course, has confidence in the Navy Department taking advantage of every modern and new improvement in the construction of cruisers in the next three or four years?

Mr. FRENCH. Oh, I feel that our engineers would be on their toes to see to it that our ships were the best that could

Now, let me refer to the Dallinger amendment and the lan-guage of the pending bill which may have some effect upon that amendment. You will recall the language of the Dallinger amendment as being in substance to the effect that as applied to the proposed 15 cruisers the first ship and each alternate ship thereafter shall be constructed in a Government navy yard. I think my colleague, the author of the amendment, will say that is a fair summation. That amendment was added upon that is a fair summation. That amendment was added upon the floor of the House without an opportunity for any great consideration by the Members, without having had the benefit of the discussion and consideration that was given to the gen-eral bill itself by the committee that reported the bill and without being referred to the Committee on Appropriations which, generally speaking, looks after the economic factors in detail of the construction of craft for the Naval Establishment. have carried language for several years, which language is the result of conferences between the conferees of the Senate and the House of Representatives, language that after a great deal of spirited discussion, exchange of suggestions and ideas, has finally come to be accepted as fair by the membership generally in both the House of Representatives and the Senate. That language, in general, is to the effect that no part of the moneys appropriated in the naval appropriation bill shall be available for the Naval Establishment for use or expenditure under contracts, for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government. In other words, under the language we have carried the advantage would rest with the navy yards of the Government, although the Secretary could avail himself of the opportunity of awarding a contract and of making purchases elsewhere if time and facilities permitted or if considerable economies could be effected by so doing. In the bill we have brought before you we have used the same language with this exception. We have said:

No part of the moneys appropriated and/or made available for the Naval Establishment for the fiscal year 1930 shall be used or expended-

And so forth

Mr. DALLINGER. Will the gentleman yield?
Mr. FRENCH. Yes.
Mr. DALLINGER. Then the object of putting the language

ment, which has been adopted by both the House and the Senate: is not that correct?

The object of it is to put all construction Mr. FRENCH. work for 1930 under a common program, a program that has been heretofore approved by the House and Senate, a program that your committee has approved as to all construction work We could not, unless we used the language for the year 1930, bring under this provision all moneys that might be carried in other bills.

It is expected that money will be carried in the deficiency bill for certain naval work. Estimates were not ready for us to consider. The items had not been submitted to the Congress. I do not know that they will be, but if they shall be they will need to be considered by the deficiency subcommittee. We think that language ought to be carried in this bill that will permit the same principle to attach there. Again, if the bill providing for cruisers shall be passed before this bill shall become the law, then undoubtedly this language would attach to that bill and to the building program there so far as moneys carried for 1930 would be concerned.

In my judgment, I think that is the right course. I think it is the right course, as one who concedes that the navy yards ought to be given the preference, as one who thinks that an even load ought to be carried for the navy yards, as one who thinks, however, in addition to that, that this Government of ours ought to have the benefit of competition on the part of private industry of this country as industry competes with itself in the offering of bids for the construction of the ships for our Naval Establishment.

The CHAIRMAN. The time of the gentleman from Idaho

has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to continue for possibly 15 minutes, so I may round out my statement.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BLACK of New York. Will the gentleman yield?

Mr. FRENCH. I will be pleased to yield.

Mr. BLACK of New York. I am wondering if the gentleman anticipates, in case the cruiser bill passes, that in the deficiency bill there will be an appropriation for the plans or for the construction of any of the new cruisers?

Mr. FRENCH. I would not want to say anything on a subject I am not advised upon. I do not know.

Mr. DALLINGER. Will the gentleman yield? Mr. FRENCH. I shall be glad to yield.

Mr. DALLINGER. The gentleman speaks about the competition between private yards and navy yards. Is the gentleman from Idaho aware of the fact that when the navy yards have been asked to bid upon the construction of one of these Government vessels, the officials of the yard have been ordered in every case to add a certain amount to their bid for overhead, amounting in many cases to a very considerable sum—an amount of overhead that is carried in your regular appropriation bill anyway-so that the net saving to the Government or the net cost to the Government of these vessels has never appeared? Is the gentleman from Idaho aware of that fact?

Mr. FRENCH. I am aware that, for a great many years, there has been an indefinite line between the amount that should be charged up to new work and the amount that should be carried as overhead. I want to say very frankly I do not think the overhead for an establishment ought to be added into new work as a part of the cost of the new work when that overhead

must be carried on anyway

Mr. McMILLAN. Will the gentleman yield there?

Mr. McMILLAN. Will the gentleman yield there?
Mr. FRENCH. Yes.
Mr. McMILLAN. Is it true, as the gentleman from Massachusetts has said, that the department orders these yards in that connection to include that as a part of the cost in the construction of a vessel?

Mr. FRENCH. Certain yard expenses must be included. Mr. McMILLAN. I think it is very important, if I may say

so, that that should be considered and brought out if such a thing is the case.

Mr. DALLINGER and Mr. BRITTEN rose.

Mr. FRENCH. I yield first to the gentleman from Massachusetts [Mr. Dallinger].

Mr. DALLINGER. Is the gentleman from Idaho aware that after the debate in the House in which it was alleged that the cost of these vessels would be more in the Government navy Mr. DALLINGER. Will the gentleman yield?
Mr. FRENCH. Yes.
Mr. DALLINGER. Then the object of putting the language you just speak of in the bill is to defeat the Dallinger amendvessels in Government navy yards is at least no greater than in

private yards?

Mr. BRITTEN. Following the question of the gentleman from Massachusetts [Mr. Dallinger] a few moments ago about thè overhead, it is barely possible that the Navy Department directs its estimators in the navy yards to add a certain amount for overhead that goes into the actual construction of the ships and yet is applied throughout the yards. In other words, a man may do a certain amount of work on the construction of a new ship and a certain amount of his time may be employed on repairs in another direction; and the overhead that the gentleman refers to might include items like that and, I think, properly so.

Mr. LAGUARDIA. That is not overhead; that is actual cost.

Mr. BRITTEN. I think they construe it as overhead. Mr. FRENCH. As a matter of fact, as has been suggested, and as I suggested a few moments ago, this question involves the meaning of words used differently by different persons. The fact of the business is there are certain overhead expenses that ought to be charged to any new project that would be charged if it were in a private institution, and ought to be charged in a Government institution. The overhead to which I referred a minute ago and said I did not think should be charged, is overhead such as is incident to the invested capital in the plant. I do not think such overhead should be charged. I do not think that the cost of maintaining the plant in a way that it would need to be maintained but for the new work should be added to the new work. On the other hand, the overhead apart from that, in a rough way, it seems to me it is fair to allocate upon the new work that is cared for within the plant.

Mr. NEWTON. Will the gentleman yield there?

Mr. FRENCH. Yes.

Mr. NEWTON. What is the practice of the Navy in connection with the salaries of the officers who are engaged in a Government yard in construction work? Is that figured as a part of the expense of construction?

Mr. FRENCH. I do not understand that it is.
Mr. NEWTON. It does not seem to me it should be, because their salaries are going to be paid anyway, regardless of the particular task they have in hand.

Mr. FRENCH. That is true, and that would fall into the

first class to which I referred a moment ago.

Mr. NEWTON. Yes; I thought so.

Mr. FRENCH. As overhead that would go on just the same

whether the new ships were built or not.

Mr. DALLINGER. In spite of the fact to which I have just referred, that the chairman of Naval Affairs Committee in the Senate admitted that the net cost to the Government of the construction of a cruiser was not greater than that in a private yard, is not the gentleman from Idaho aware that those in charge of the Navy Department are not disposed to build any of the proposed cruisers in a Government navy yard unless compelled to by statute?

Mr. FRENCH. I do not think that is true. I think the gentleman is entirely wrong. The fact is we have three cruisers to-day being built in the navy yards. More than that, in yards where we are not building cruisers, in order that they would be ready to do construction work, we would need to spend hundreds of thousands of dollars in improvements in order that

they might be in shape to fabricate ships.

It may be a desirable thing to do that thing. I think probably it is. But it seems to me that the greatest service can be rendered by permitting the matter to be handled under the language your committee has proposed. We ought not to meet the question by removing competition, by saying that a navy yard shall build the first ship and that no private concern may compete, and a navy yard shall build the third and the fifth and every alternate ship throughout the list and private shipbuilding companies shall not compete. By such provision you will say, though not in words, that navy yards will not compete when it comes to building the fourth, sixth, eighth, and tenth and other even-numbered cruisers that will be built under the program. I want to see competition that will bring out the best in the navy yards and the best in private industry. Our country deserves it and the Navy deserves it.

Mr. DALLINGER. It ought to be fair competition, but it

never has been.

Mr. BLACK of New York. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLACK of New York. In the last construction of cruisers the navy yards from the east coast were not permitted to compete. The navy yards on the west coast got it all. New York got the hull of the Pensacola. There has been no competition between the navy yards and the private yards on the east coast, and that is the reason of this language. Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. FRENCH.

Mr. TAYLOR of Tennessee. About what percentage of cost

of a cruiser is chargeable to labor?

Mr. FRENCH. I think it would run about 65 per cent. Take the great repair work in the navy yards where we are doing work that is not altogether comparable, it runs about \$1 material to \$2.45 for labor, where we have good tools and labor that is efficient.

Mr. KETCHAM. Will the gentleman yield?

Mr. FRENCH. I yield. Mr. KETCHAM. In that connection would the gentleman be willing to state the percentage of cost that is to be charged for overhead?

Mr. FRENCH. I can not make that statement.

Mr. KETCHAM. Can not the gentleman make it in connec-

tion with the proposed statement?

Mr. FRENCH. I do not know that it could be definitely made, because there may be varying factors attaching to different vards.

Mr. KETCHAM. The point is made that as between private yards and navy yards overhead is going on anyway in the navy yards, whether we build the ships or not. I thought it might be helpful if the statement could be made just what the overhead should be.

Mr. FRENCH. I do not think a statement that would be illuminating could be made. For instance, here is a large yard in which was originally invested ten or twenty million dollars. It may be that the yard has been running on a reduced basis for years. To build one cruiser might draw upon only a small part of the facilities of the yard. It would not be fair to charge as overhead any undue part of the expense of keeping up the yard for the building of that one cruiser. If several cruisers were built manifestly the overhead would be much less. Other yards might be used where the investment cost is much less.
Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. LAGUARDIA. All of the ordnance on these ships is

made at the Government arsenals, is it not?

Mr. FRENCH. Not all of it; we purchase small-arms ammunition for target practice; we purchase a limited number of forgings, some powder, besides projectiles which we assemble in torpedo stations.

NAVAL AND MARINE ACTIVITIES IN FOREIGN AREAS

Mr. Chairman, in conclusion may I refer to the activities of the Navy and Marine Corps in connection with special services that these organizations have been called upon to render.

During the last year, as the people of our country well know, the situation in the Orient has been such as to cause gravest concern and to require the presence of expeditionary from our country and other countries that disorders might be suppressed; that hasty and ill thought-out conclusions flowing from the volatile state of mind of a people undergoing revolution might not react unfortunately upon nationals of foreign lands, and that in general the peace of the world to the greatest extent possible might be maintained.

In carrying forward this program, ships of our fleet have been in Chinese waters with officers and enlisted men, and officers and men from the marines have rendered service in Tientsin, Peking, and Shanghai. These forces are being reduced, already instructions have been issued for the withdrawal of marines from Tientsin, and a happier situation apparently is in prospect for the people of the Republic of China. Words of praise can not express too highly the appreciation with which the American people hold the services of the officers and men of the Navy and the Marine Corps, as with dignity and forbearance they have extended helpfulness and good will in behalf of the people of the United States.

In Nicaragua the heaviest responsibilities have fallen upon the marines.

Prior to August, 1925, for 13 years there had remained on duty in Nicaragua a legation guard from the United States marines of about 125 officers and men. Shortly after the withdrawal of this guard, in August, 1925, troublesome times again set in and by September, 1925, there were difficulties and unrest of grave portent. In 1926 a revolution was under way on the east coast. Shortly thereafter a limited number of marines and sailors were landed for the protection of the lives and property of American citizens and of other foreign people.

In 1927 the situation was more unsettled and in the late spring, under an arrangement that had been entered into following the visit to Nicaragua of Henry L. Stimson upon the part of the President, marine forces of the United States were called upon to help maintain orderly government under a program that had the approval of the people of Nicaragua who stood for law and order and decency in government.

I need not follow in detail the activities of the Government of Nicaragua as it was assisted by the marine forces of the United States in the suppression of banditry, the breaking up and dispersing of lawless gangs, and the establishment of order.

In November, 1928, carrying out a part of the agreement that had been made by the responsible authorities of Nicaragua and Mr. Stimson representing the Government of the United States, the marine forces assisted in the Nicaraguan election, an election the result of which has commanded the respect and confidence of the Nicaraguan people.

Upon the part of Nicaragua and in harmony with the Stimson agreement, the Nicaraguan Government built up and trained a nonpartisan national guard or constabulary with the assistance of the officers of the Marine Corps and the Navy, and the result of the whole program has been most fortunate from the standpoint of peace and orderly processes and good government in our sister Republic. The work that has been done by the officers and men of the marines and by the officers and enlisted men of the Navy has been at sacrifice of life and has meant an additional burden upon the Tresaury of the United States.

You will find in the hearings conducted by our committee a printed list of the names of the officers and men of the Marine Corps who have died in the Nicaraguan service, together with their home addresses.

It is most unfortunate that at any time orderly government can not proceed in every land. It is fortunate, however, that when at times the orderly processes of government are supplanted by lawless forces it is possible for peoples who are not involved to assist in the safeguarding of property, in the protection of human life, and in the restoration of government.

The naval and marine forces in Nicaragua are being reduced.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield there?

Mr. FRENCH.

Mr. FRENCH. Yes. Mr. LAGUARDIA. I am glad to hear the gentleman say that the forces in Nicaragua are being reduced. Does the gentleman intend to convey the information that the marines are being withdrawn from Nicaragua?

Mr. FRENCH. Yes: that program is going on as to marines

no longer needed.

In our hearings it was indicated that the peak was reached when we had in Nicaragua on July 31, 1928, 456 officers and men of the Navy and 5,365 officers and men of the Marine Corps, or a grand total of 5.821. This number is being diminished. The naval forces have all, or practically all, been The marine detachments that had been borrowed withdrawn. from battleships are now being returned to their ships, and there will be left of the marines in Nicaragua upon the completion of this program approximately 3,650 men.

I have no doubt that with the further establishment of orderly processes this number will be reduced, and again I am sure that I express the thought of the people of our country when I say that we take deep pride in the courage, the earnestness, the fidelity, the self-sacrifice, the devotion of officers and men of the marine service and of the Navy who have contributed so conspicuously to the well-being of humanity in a

sister Republic.

Mr. LAGUARDIA. I was informed by the Commandant of the Marine Corps, and I should think the RECORD ought to show it clearly, that the marines that have been withdrawn are those marines that were taken from the ships.

Mr. FRENCH. That is correct.

Mr. LAGUARDIA. And that of the expeditionary force not

a single solitary marine has been recalled to date.

Mr. FRENCH. No. We will have upon the completion of the program of withdrawing of forces that is now going on approximately 3,650 marines in Nicaragua. I am not able to look into the future and indicate what the conditions will justify our country in doing and to what extent the Government of Nicaragua will need our cooperation.

Mr. LAGUARDIA. The fact remains that we have 3,000

marines in Nicaragua to-day.

Mr. FRENCH. And probably will have a few more than that for an indefinite period.

Mr. COLE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes. Mr. COLE of Iowa. The fact that Sandino, whom the gentleman from New York [Mr. LaGuardia] has at intervals defended on this floor, is resuming activities is evidence of the other fact that our marines are being withdrawn.

Mr. LAGUARDIA. Mr. Chairman, now that Admiral Cole of Iowa has subdued Sandino, I say the fact remains that was sent there with the expeditionary force has been withdrawn to date

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

Mr. WAINWRIGHT. The gentleman from Idaho [Mr. French] has paid just tribute to the Navy and the marines in connection with the supervision of the recent election in Nicaragua, but I am sure the gentleman would not have it overlooked that the chief commissioned man supervising the election was a very distinguished officer of the United States Army, Brig. Gen. Frank L. LaCov, assisted by others of the

Mr. FRENCH. I am sure that words of mine can not adequately express the sense of appreciation that the people of the United States feel toward the officer to whom my colleague has referred and toward the officers and men of the Marine Corps and officers and men of the Navy who have rendered this arduous and fine service in Nicaragua with such dignity and such resourcefulness and helpfulness in the maintenance of peace and good order, looking again to the establishment of orderly processes in our sister Republic.

Mr. LAGUARDIA. And it is only fair to state that the Lib-

eral Party that we went down there originally to destroy won

the election and established law and order.

Mr. FRENCH. And is in highest accord with the conduct of our officers and men in the election that was held.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.

There are only 15 per cent whites in Nica-Mr. ARENTZ. ragua, and if the United States Government can skeletonize the marine force in Haiti, which is all black, I am in hopes that they can skeletonize the marine force in Nicaragua, with its 15 per cent whites, and in time that we may be able to teach

them how to run their own Government.

Mr. LAGUARDIA. We better learn to run our own Govern-

ment first.

Mr. COLE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. Yes.
Mr. COLE of Iowa. I do not think the statement of the gentleman from New York [Mr. LaGuardia] that our forces went down there to destroy any particular party ought to go un-challenged on this floor. We did not go down there to destroy

anybody, but to preserve peace.

Mr. FRENCH. The statement of the gentleman from Iowa [Mr. Cole] is, of course, correct. The Government of the United States has never sought and never has had a part in the political differences of the people of Nicaragua. The thing that we are interested in and were interested in is protection of our nationals and their interests, and protection of the nationals of other countries and preventing, if possible, a lawless condition to exist and to expand, threatening the peace of the Americas, and led by lawless bandits who respected not the rights of others, even the people of their own land.

Mr LAGUARDIA. And that was exactly the way the Liberal Party was characterized and described when we first sent the

marines down there.

Mr. SIMMONS. It is my understanding also that the marines are remaining in Nicaragua at the request of the President of the Liberal government.

Mr. FRENCH. Not only the Liberal government but the outgoing government were in accord in inviting the forces of the United States to go there and take part in preserving order and in conducting the election.

Mr. KETCHAM. In that very connection, is it not interesting to observe repeatedly in the case that the Conservatives are not so greatly concerned in having the marines remain there, but the Liberals are?

The CHAIRMAN. The time of the gentleman has expired.
Mr. WAINWRIGHT. And if it is not a fact that the presence of American marines in Nicaragua was followed by the settlement and cessation practically of a bloody revolution in that country?

Mr. FRENCH. In my judgment that must be the inevitable

conclusion of thoughtful people.

May I close, as I did one year ago, with the assurance to this House that through the contact and touch the members of your committee have at all times with the Naval Establishment we have pride in its officers, we have pride in its personnel, we have pride in the spirit that permeates the institution itself and that has become a part of its splendid traditions. I thank you for the fine attention you have accorded me. [Applause.]

Mr. AYRES. Mr. Chairman, I yield one minute to the gentle-

man from Georgia [Mr. Cox].

Mr. COX. Mr. Chairman, in view of certain references made 3,600 of our marines are in Nicaragua and not one marine that | to the senior Senator from Georgia in the discussion of House Resolution 303 on yesterday, and a recent article published in the Washington Post, I wish to read into the Record three brief editorials from three Georgia newspapers. I ask leave to revise and extend my remarks, and I wish to insert in the RECORD those three short editorials.

The CHAIRMAN. The gentleman from Georgia asks unani-

mous consent to revise and extend his remarks

Mr. TILSON. May I hear that request repeated? I did not hear it.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks and to insert therein three short editorials.

Mr. TILSON. I wish the gentleman would reserve his request until we are in the House instead of in committee.

Mr. COX. I hope the gentleman will not object, because I will feel forced to ask for sufficient time in which to read them. Mr. TILSON. Of course, the gentleman could not read them if anybody objected, even if he had the time. This question of putting editorials in the Record is one to which several Members of the House have consistently objected, and the gentleman ought not to ask that privilege in the Committee of the Whole. If the gentleman will wait until we are in the House, I shall

Mr. BANKHEAD. Mr. Chairman, I will say this is not an

make no objection. unusual request.

The CHAIRMAN. The time of the gentleman has expired. Mr. BANKHEAD. It has been done a great many times.

Mr. TILSON. But it ought not to be done in the Committee

of the Whole House on the state of the Union.

Mr. BEGG. Mr. Chairman-

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEGG. One minute.

The CHAIRMAN. The time is in the control of the gentleman from Idaho and the gentleman from Kansas.

Mr. BEGG. I will ask the gentleman from Idaho to yield one minute in order for me to ask a question.

Mr. AYRES. I yield one minute additional.
Mr. BEGG. I would like—
Mr. COX. For the present, I withdraw the request.

Mr. TILSON. I hope the gentleman will do so for the present. Mr. BEGG. Is it not, in fact, a violation of the rule for a Member to ask unanimous consent to extend his remarks in the committee at any time?

Mr. TILSON. Oh, no.

Mr. LAGUARDIA. Not if the Member has the floor at the

Mr. BEGG. It is my impression that it is a fact. the Speaker has made a statement repeatedly to that effect.

Mr. TILSON. A Member may ask unanimous consent to extend his remarks in committee, but no general request can be made in committee giving to Members generally that privilege. The gentleman from Georgia [Mr. Cox] is no doubt within his rights in asking unanimous consent to extend.

Mr. BANKHEAD. The gentleman from Massachusetts [Mr.

UNDERHILL] is not here.

Mr. TILSON. He had an opportunity to be here, Mr. MAPES. Mr. Chairman, a parliamentary inquiry. The CHAIRMAN. The gentleman will state it.

Mr. MAPES. Is not this a fact: Did not the Speaker at a former session of Congress state that it was desirable that Chairmen of the Committee of the Whole should not submit unanimous-consent requests to extend remarks on subjects other than those under debate?

The CHAIRMAN. The Chair is of the opinion that that is

not a parliamentary inquiry.

Mr. MAPES. Then I make it as a statement of my recollection of the matter. [Laughter.] Mr. AYRES. Mr. Chairman, I yield 20 minutes to the gen-

tleman from Oklahoma [Mr. Howard].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 20 minutes.

Mr. HOWARD of Oklahoma. Mr. Chairman and members of the committee, this afternoon has been to a very considerable degree confined to the discussion of the tariff. I rise to discuss that question also, but propose to confine my discussion to one great industry which is in need at the present time of rehabilitation and to the same kind of treatment that is extended by the Congress and the Nation to other great industries. I refer, Mr. Chairman and members of the committee, to the oil industry.

The oil industry has in the last few years grown to be one of the most important in America. It is also one of the most necessary. For the last two years, however, as a whole it has suffered a depression that has been felt by labor, by the producers of crude petroleum, and the farmers and landowners

from whose land oil is produced.

This depression has resulted from two causes. One of them has been overproduction in this country, caused mainly by the peculiar conditions under which oil is produced. In the last few months leaders of the industry have sought, through the American Petroleum Institute, the Mid-Continent Oil & Gas Association, and other organizations, to adopt a policy of con-servation that will be beneficial and for which they are to be congratulated. In this effort they deserve the support of every public official and the public.

Another and very important reason for this condition comes about on account of the large amount of oil imported into this country from Mexico, Venezuela, and other foreign countries. This oil comes into the United States free of duty. It can be produced with the cheap labor of these foreign countries at a less cost than can our oil, with the result that, in my opinion, there can be no great revival of our American oil industry until it is protected from the unwarranted competition just referred to.

To adjust this condition, on December 3, 1928, I introduced in the Congress H. R. 14462, a bill to amend the tariff act of 1922

by placing crude mineral oils on the dutiable list.

In the placing of a protective tariff on any commodity it is but natural that we ask to what extent are importations interfering with American production? The records disclose that about 77,000,000 barrels of crude oil are coming into this country each year and on it the importers are paying no duty. The records of the Department of Commerce show that for the six months ending November 30, 1928, the imports and exports of crude and refined oil were:

Exports, from Atlantic coast only:	Barrels
CrudeRefined	11, 170, 812
Imports for same period:	35, 269, 961
Refined	3, 611, 660

Naturally this great flood of duty-free oil with our comparatively small amount of exports is of great injury to the American industry, and this also discloses a source of revenue to the Government and a protection to an American industry that would be of benefit to both.

Mr. BARBOUR. Mr. Chairman, will the gentleman yield there?

Mr. HOWARD of Oklahoma. Yes.

Mr. BARBOUR. I understood the gentleman a moment ago gave the exports and imports of oil from and to the Atlantic coast.

Mr. HOWARD of Oklahoma. Yes.

Mr. BARBOUR. Have you the figures covering the imports to and exports from the Pacific coast?

Mr. HOWARD of Oklahoma. No. These figures do not include the exports from the west coast.

Mr. BARBOUR. Do the figures apply to oil imported to America and exported from the Atlantic coast?

Mr. HOWARD of Oklahoma. Yes. My figures apply to the total amount brought into this country, and the total amount that was exported from Atlantic coast ports only.

Mr. BARBOUR. Most of our exports of oil go from the

Pacific coast, do they not?

Mr. HOWARD of Oklahoma. I do not know what the proportion is

Mr. BARBOUR. I am very much interested in the question which the gentleman is discussing. May I ask him a further question?

Mr. HOWARD of Oklahoma. I shall be glad if the gentleman will.

Mr. BARBOUR. Is it the gentleman's intention to urge a protective tariff on oil in the coming tariff bill?

Mr. HOWARD of Oklahoma, Yes, sir. Mr. BARBOUR. May I ask the gentleman this question: What is the attitude of the oil producers of Oklahoma touching the proposal to place a protective tariff on oil?

Mr. HOWARD of Oklahoma. I have been told by those whose interests lie with the importers that they are in opposition, and that the independents, whose full interest in the industry is American oil entirely, are in favor of the tariff.

Mr. BARBOUR. I am interested in this because I represent

a large oil-producing district in California. I have received communications advocating a protective tariff on oil, but so far as I am advised, none of those requests have come from oil producers. I am interested in knowing what the situation is in the gentleman's State.

Mr. HOWARD of Oklahoma. I will say to the gentleman from California that I introduced the bill I referred to for the purpose of bringing the matter before the Committee on Ways and Means. The gentleman from Oregon [Mr. HAWLEY], chairman of the Committee on Ways and Means, has informed me that, either on February 20, 21, or 22, the committee will give anyone interested an opportunity to be heard.

Will the gentleman permit one other Mr. BARBOUR.

question?

Mr. HOWARD of Oklahoma. Yes.

Mr. BARBOUR. Are the independent producers of Oklahoma organized?

Mr. HOWARD of Oklahoma. The oil producers in Oklahoma, independent and others, are practically all members of the same organization, the Mid-Continent Oil & Gas Association.

Mr. BARBOUR. Is it their intention to support this pro-

posal?

Mr. HOWARD of Oklahoma. I have had several letters and telegrams from large independent producers in which they say they are supporting the measure and will probably be here at the time I mentioned.

Mr. BARBOUR. Can the gentleman state what the attitude

of the American Petroleum Institute is?

Mr. HOWARD of Oklahoma. I understand from the newspaper reports that Mr. Reeser, the president of the American Petroleum Institute, has stated that he thought the plan of conservation would be sufficient and did not know that a tariff

would be necessary or beneficial.

Mr. BARBOUR. Would the gentleman express an opinion as to that suggestion? That suggestion has been made to me, that we could accomplish the same thing by not producing so much oil at this time; in other words, by conserving it in the ground.

Mr. HOWARD of Oklahoma. Let me say to the gentleman on

that point that in the last year or two in Oklahoma through a plan of conservation we have reduced the production at times approximately 300,000 barrels a day, but at the same time the imports on the Atlantic coast have increased very materially. A great many producers believe they might bring about a plan of conservation that would remedy the situation. But I call attention to the fact that since the American Petroleum Institute meeting, since the matter has been under discussion, the royalty owners in Kansas, in Texas, and in Oklahoma have had meetings and have protested against the State legislature in either of their States entering into any attempt to pass legislation that would control the production of oil.

The royalty owners are the people who own Mr. BARBOUR. the land and have leased it on a royalty basis to the producers.

Mr. HOWARD of Oklahoma. They are the farmers and those who have bought an interest in royalties of the farmers. it is my contention that both conservation and this tariff will be needed before the oil industry is put on its feet again,

Mr. BARBOUR. I want to say that the gentleman has raised a very important question. I have been seeking information in regard to it and I appreciate the information the gentleman has given us.

Mr. NEWTON. Will the gentleman yield?

Mr. HOWARD of Oklahoma, Yes.

Mr. NEWTON. The gentleman has given us some very interesting information. Can the gentleman give us some idea as to what our natural resources are in oil and about how many

years it will be before it will all be consumed?

Mr. HOWARD of Oklahoma. Well, let me say to the gentleman in answer to that question that it is about like the question of how old is Ann, for I call his attention to this fact, that 10 years ago the geologists made estimates as to the amount of oil in the earth at that time, and since then we have taken out of the earth more oil than they estimated was in it.

We are continually bringing in new fields. Mr. BARBOUR. Mr. HOWARD of Oklahoma. Yes. That is true in your field in Los Angeles, where less than two months ago they went 1,000 feet deeper than they have ever gone before and brought

Mr. BARBOUR. I will say to the gentleman that is not in Los Angeles but in the San Joaquin Valley of California.

Mr. HOWARD of Oklahoma. The same is true at Wichita, Kans., and the same is true at Oklahoma City, where 10 years ago they imagined there was no oil and it was condemned, but recently, close to Wichita and close to Oklahoma City, they have brought in wells producing from 5,000 to 8,000 barrels a day.

Then the gentleman feels there is no limit Mr. NEWTON.

to the oil supply?

Mr. HOWARD of Oklahoma. On that point I think it is problematical. If the gentleman is referring to the conservation of natural resources, I call his attention to the fact that in this country there are billions of pounds of shale that will produce oil and science will bring forth an economical way of producing oil out of that shale. Further than that, science is bringing forth now substitutes for gasoline and the day may not be far distant when gasoline will not be in demand, and then, if we follow the argument made by some, of conserving our American oil and using that from foreign countries, we might find

that through this policy we will have left millions and millions of dollars' worth of natural resources in the bowels of the earth that will have practically little, if any, value.

Mr. WOOD. Will the gentleman yield? Mr. HOWARD of Oklahoma. Yes.

Mr. WOOD. I will say to the gentleman that eight years ago this winter we had some of the experts before the Appropriations Committee and they then gave it as their expert opinion that within 10 years from that time the oil fields of this country would be entirely exhausted.

Mr. HOWARD of Oklahoma. And to-day there are 600,000,000 barrels stored on top of the ground in the State of Oklahoma

Mr. CRAIL. Will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes

Mr. CRAIL. I want to say that the price of low-gravity crude oil in southern California has been reduced to 45 cents per barrel in some fields, and in other fields lower than that, below the cost of production; and it seems to me that instead of try-ing to interfere with the oil industry there ought to be a tariff duty levied on low-gravity crude oil.

Mr. HOWARD of Oklahoma. I will support a tariff on all grades. In answer to the gentleman, let me say this: That within the last few days, in the Mid-Continent oil field, they have reduced the price of oil from 20 to 35 cents a barrel, but the consumers have not felt that reduction in the price of the

gasoline or lubricating oils they use.

Mr. BARBOUR. Will the gentleman yield to me for the purpose of asking the gentleman from California a question?

Mr. HOWARD of Oklahoma. Yes.

Mr. BARBOUR. Has the gentleman any information as to whether the California oil producers are in favor of a tariff on oil?

Mr. CRAIL. I will say that I have had considerable correspondence and some telegrams in regard to that, with the information that there are 250,000 barrels of crude oil per day being shipped into the United States from South America, which is making it necessary for the independent producers to sell low-gravity crude oil at a price less than the cost of production. Mr. BARBOUR. That is, this correspondence and these tele-

grams have come from the producers of oil?

Mr. CRAIL. Yes. The oil producer, as distinguished from the refiner, has had hard times the last two years, largely as a result of the importation, free of duty, of large quantities of crude oil from foreign countries.

Mr. JONES. Will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. JONES. I would like to suggest that I have had com-plaints to the effect that certain companies, with the privilege of the free importation of oil, feed in just enough oil to keep the crude price down to a low point, and at the same time maintain the refined price, ostensibly, or at least these people think, for the purpose of getting the control out of the hands of the local people into the hands of certain concerns.

Mr. HOWARD of Oklahoma. I am going to cover that

shortly.

Mr. JONES. I have had numerous complaints to that effect, that they feed in just enough oil to keep the price down to where the local people can not afford to produce it or own it and thus lose control of it, and these certain companies have such control that the price of the crude oil makes little difference to them, because they sell it in the refined form at the full

Mr. HOWARD of Oklahoma. I will say to the gentleman that both the independents and others joined to cut down the production in Oklahoma nearly 300,000 barrels per day within the last year, and the other fellows brought it up the coast.

Mr. JONES. And when they try to put on a conservation program they simply feed in still more and keep the price of the crude down just the same.

Mr. HOWARD of Oklahoma. That has been the result, and

nothing but a tariff will remedy it.

Mr. JONES. It seems to me so. Mr. SCHAFER. Will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

We have heard a lot about the producers' Mr. SCHAFER. views on a proposed tariff; can the gentleman give any information as to what would be reflected with respect to the consumers?

Mr. HOWARD of Oklahoma. I will say to the gentleman that I am going to touch on this shortly, but I will say now that if you can name me a natural resource or a manufactured article where the tariff does not have some effect in raising the price, then I will answer the gentleman's question.

The CHAIRMAN. The time of the gentleman from Okla-

homa has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. HOWARD of Oklahoma. That Congress may have a fuller conception of the situation, I desire here to read to you a letter, which is based on sound logic and facts, that I received a few days ago.

AMARILLO, TEX., January 12, 1929.

Congressman E. B. Howard,

Tulsa District of Oklahoma, Washington, D. C.

DEAR SIR: It is my understanding that you are preparing a bill providing for a tariff on oil and that you now have this bill or will have this bill before the present session of Congress.

Notice that you are working on this matter should be interesting to independent oil producers, royalty companies, landowners, and even States throughout the entire oil-producing districts of the United States.

A disastrous condition has occurred and been maintained for the past two years, which has adversely affected every investment in or contingent to the oil-producing business, save and except those investments which are so organized that they represent a vertical line of business, having production, transportation, refining, and marketing. The last-mentioned interests have benefited largely and comprise large corporations only, and actually represent but a small fraction of the commonwealth of this country, and should not be permitted to maintain a condition and special interest which operates adversely and disastrously to the vested rights and the welfare not only of individuals but of counties, towns, cities, and even States.

An examination of producing-oil areas and geographic surveys of the Nation shows that there are millions of acres of proven, semiproven, and potential oil lands. This land is the vested property of individuals, States, or of the Nation. The act of proving this land to contain great mineral wealth immediately enhances the value of such lands far above that for which it could be valued for any other purpose. The finding of oil in any community or State represents an increase in local and national wealth; that is, providing such increase in wealth accrues to those to whom it rightfully belongs.

It is a common fallacy for the public at large to think and believe that the discovery and production of oil confers benefits only upon that particular landowner and that particular oil company which is so fortunate as to enjoy the direct benefits of such discovery. However, a most casual investigation will show that this is not correct.

Railroads haul immense tonnage to such oil fields and generally invest much capital in extensions, switch tracks, terminal facilities, etc.

Supply houses, material men, lumbermen, and countless lines of manufacturers are at once interested, investing capital in warehouses, labor organizations, and untold millions of dollars of storage supplies.

Adjacent towns and even cities are at once made famous by the fact that new sources of national wealth are found at their doorsteps, and generally reflect an immediate expansion and growth in the way of new industries, new office buildings, jobbing houses, and untold millions in investments in real estate, home building, and countless other lines affecting the welfare of that entire community. Because of this added population and contingent lines of business, cities expand and grow and counties undertake bond issues for paving highways.

The State in which this community is located immediately becomes the beneficiary of increased taxes, and even the income-tax men of the Federal Government at Washington find this new community of sufficient interest to send special agents to check the income of the Government, which is a beneficiary from income taxes in these new and flourishing districts.

When it is considered that not only thousands of small towns, hundreds of thousands of individuals, and the welfare of countless counties of various States throughout the Union are affected by the possibility of production and the oil industry, but also that great cities, such as Los Angeles, Austin, Dallas, Shreveport, Beaumont, Fort Worth, Amarillo, Tulsa, Oklahoma City, and numberless other large cities throughout Indiana, Pennsylvania, Louisiana, Wyoming, Montana, Colorado, and other States, can suffer and do suffer tremendous losses in wealth, population, and shrinkage in business due to the violent fluctuations in the revenue received from the production of oil without any local power or machinery to prevent these disasters, then it is time for the people or their constituted authority to investigate the conditions that permit such a situation to exist and reoccur from time to time.

The marketing of the products of petroleum oil is a well-organized and profitable business, the bulk of the business being conducted by about 200 powerful corporations throughout the entire United States.

The refining of these oil products is a highly technical and wellorganized business, also largely under the control of these same corporations.

The transportation of oil is also a well-organized business, allied with and largely under the control of the above-named corporations.

It will be noted that the sales price of petroleum products which the public at large obtains is well regulated and suffers no violent fluctuations that would cause disastrous losses and disorganization to either the transportation, refining, or marketing companies in the petroleum industry.

It is only in the production department of the industry which has the most to do with the welfare of the greatest number of individuals, small corporations, allied industries heretofore mentioned, and the taxable value of cities, counties, and States that boom conditions are enjoyed or disaster suffered, which wipes out the investments of literally hundreds of thousands of people, either in the oil-producing business or in allied lines of industries and community activities.

This situation is brought about by the violent fluctuations in the price of crude oil, which is arbitrarily set from time to time by those corporations which are primarily interested in the transportation, refining, and

marketing of crude oil and its products.

The law of supply and demand governs the actions of this last-named group. When the production of crude oil shows to be in excess of current refinery demands and at the same time new crude-oil discoveries are encountered, the posted field price for crude oil is ruthlessly put down, thereby paralyzing smaller producing companies in all allied lines of industry and depreciating property values through the entire district, adjoining cities, States, and the Nation.

This disastrous shrinkage may occur overnight upon the discovery of one or two new potential oil fields which show promise of furnishing sufficient additional oil to warrant safety in such procedure to the transporters, refiners, and marketers of crude oil.

Although this new strike may be in a far-western State, yet every field throughout the Nation and every community in which such fields exist immediately suffer by this general marking down in the price of crude oil.

There appears to be no proportional relation whatever between the price which the public at large pays for refined products and the price which producers and marketers receive for the production of crude oil.

When the posted price of crude oil was \$3.60 a barrel throughout the midcontinent field the public paid from 20 to 30 cents per gallon for gasoline and 20 to 40 cents per quart for lubricating oils.

With the posted field price at an average of 80 cents per barrel in the Panhandle oil fields, the price of refined products still hovers around 20 cents per gallon for gasoline and a good fair price for lubricating oils.

It then can not be stated that a fair profit to independent oil producers, which affects the welfare and taxable values of landowners and property owners in adjoining cities and communities, is the yardstick by which the petroleum industry is operated and that the public at large in buying the refined products are gainers through the fact that the producers are suffering such losses.

There are too many intermediate stations between the production and valuation of crude oil and the ultimate purchase of its products for such condition to exist.

The oil industry and its allied lines of business is to-day the biggest industrial business in the United States. Its ramifications affect more people than any other line of business. As such, it is the only line of business that has been marshaled, organized, and controlled by a relatively few closely allied corporations without any endeavor on the part of the commonwealth to intelligently comprehend and better regulate this industry.

Great credit should be given to those corporations who have developed this tremendous industry, and in writing you this letter it is not to be construed as a disparagement or attack upon any of them in the conduct of their business.

It is most likely that this condition would exist in any other line of business which affected the public largely if no protective tariff were obtained to safeguard the vested interests of this country.

If it were possible for a great merchandising corporation, such as Montgomery Ward or others, to obtain an unlimited supply of cheaply manufactured articles from Europe and import same to this country and distribute into a vast organization of retail stores owned and controlled by it, you would immediately note the same depression in business in countless towns and cities, due to the fact that tens of thousands of small merchants would be forced to close their doors, thousands of allied lines of industry would close down, and untold millions of dollars of wealth would be wiped out solely to the benefit of this one big merchandising corporation.

In the universal interest of landowners, tens of thousands of small independent oil producers, communities, counties, cities, and States, some sensible and flexible tariff should be considered and adopted which will protect and safeguard the vested rights and interests of all those directly connected with or whose business depends upon the production of crude oil throughout this Nation.

Trusting that you will give this matter the serious thought and earnest work which it deserves, and believing that the very act of making a comprehensive effort to stabilize this industry will meet the approval not only of the people to be benefited but also the sympathetic cooperation of transporters, refiners, and marketers of crude oil and its products, I remain.

Very truly yours,

JOHNSON RANCH ROYALTY CO. (INC.), By ED. R. MAYER, President.

Mr. Chairman, there is no greater field for securing sound and valuable information than the newspapers of this country, es-

pecially is this true of any discussion of a subject in their editorial columns. Naturally a newspaper published at the center of oil production in America would have given thorough and scientific study to the question of a tariff on oil before commenting on it editorially. Tulsa is the center of the oil-producing industry of America. Newspapers published in that city naturally give mature and sober thought to the good of the industry and all its branches. They naturally, also, give due consideration to the interests of the consumers, for they realize that any injury to him, any undue advantage of him, would be detrimental to the producer's market and to the industry as a whole. Here I desire to read to you an editorial published in the Tulsa Tribune, commenting on the bill which I have introduced, and may I say to you before reading it that the Tribune is a well-edited, conservative, and fearless publication that gives thought to subjects of this kind before expressing an opinion. The editorial says:

FOR THE OIL TARIFF

Congressman E. B. Howard's bill, proposing a tariff on petroleum imports, although deplored in the keynote speech made to the Chicago convention of the American Petroleum Institute by Axtell J. Byles, of the Tide Water Oil Co., may yet command the undivided support of independent oil producers of the United States and of the public. Mr. Byles, failing to enumerate his reasons for opposing the tariff, pointed out the only possible alternative when he urged adoption of a world-wide plan for cooperation in the production of oil.

A condition inimical to the security of the independent oil producer whose production is confined to domestic fields has already developed in increased importations of Latin-American oil. British and American operators of prolific leases in Mexico, Venezuela, Colombia, and other Latin-American countries are able to deliver petroleum products to the markets of the United States at prices that threaten the profits of the domestic producer.

Leases secured by the concessions route, cheap labor, low water freight rates, and lower foreign taxes all combine to reduce the costs of production of Latin-American oil and of its delivery to American ports. The producer who pays the Oklahoma, Kansas, Texas, Louisiana, or Arkansas landowner a high price for a lease, who pays his employees the American wage scale, whose holdings are subject to taxation by city, State, and Federal Governments, and who uses his wealth toward the industrial and social development of his community and Nation can not meet the competition of the importers.

The tariff as proposed by Congressman Howard is at present not only necessary to the continued prosperity of the American oil industry, but the interests of all the people of the oil-producing States are also involved. It is largely due to the independent oil producer that the oil industry has become an integral part of the economic life of the oil-producing States. It is Bill Skelly, Waite Phillips, and others of the type who have used the profits of production of oil in Tulsa territory to build Tulsa. Similarly in every other oil-producing section of the United States.

One objection that may be raised to Congressman Howard's bill by Congressmen from other States is that it might increase the costs of petroleum products to the American consumer. But if the independent producers should be forced out of the industry by the trust importing foreign oil, the dangers to the interests of the consumer would be infinitely greater than any that lie in the proposed tariff. The independent producer, developing American leases as rapidly as the oil could be absorbed by the growing army of gas engines, has kept prices down to a fair level and thus has aided the growth of the automobile industry and served the whole American public. As long as he holds the upper hand in the oil industry, the interests of the motoring public will be safe. It would be well for representatives of automobile manufacturers and motorists, who will consider the Howard bill, to keep this in mind.

The Howard bill is thoroughly in accord with the policy of protection. If New England factories turning out products used by the whole American public are protected by the tariff, the oil industry, which benefits a greater area than these factories, obviously is entitled to the same protection. No section of the country, nor any other industry, should begrudge it.

Should the independent producer be given a pledge by the importers that importations of Latin-American crude will be cooperatively curbed to remove every element of unfair competition, they might be willing to pass up the protection of the tariff. Mr. Byles has suggested this, and there is a possibility that his suggestion may be heeded by the producers who have seen the effectiveness of the Oklahoma proration agreement, which he so highly praised. But before declining to enter the fight for the tariff, every independent producer should be convinced that his interests will be safe without it.

Mr. Chairman, in connection with the editorial just read I want to call your special attention to the following paragraph, which answers one question that naturally arises in the minds of everyone considering a tariff on any commodity and also answers the question of the gentleman from Wisconsin [Mr. Schaffer]. That paragraph reads:

One objection that may be raised to Congressman Howard's bill by Congressmen from other States is that it might increase the costs of petroleum products to the American consumer. But if the independent producers should be forced out of the industry by the trusts importing foreign oil, the dangers to the interests of the consumer would be infinitely greater than any that lie in the proposed tariff. The independent producer, developing American leases as rapidly as the oil could be absorbed by the growing army of gas engines, has kept prices down to a fair level and thus has aided the growth of the automobile industry and served the whole American public. As long as he holds the upper hand in the oil industry, the interests of the motoring public will be safe. It would be well for representatives of automobile manufacturers and motorists, who will consider the Howard bill, to keep this in mind.

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The above quotations are but a few of the many that I could give you in justification of this tariff, but under the circumstances I see no necessity for lengthy argument. The next Congress and the next administration will be entirely under the control of the Republican Party, which is pledged to a protective tariff in all its platforms, which have contained the following language:

We reaffirm our belief in the protective tariff to extend needed protection to our productive industries.

Then the leaders of the Republican Party are pledged to a protective tariff for American industry. Recently, the gentleman from Connecticut [Mr. Tilson], Republican House leader, a man in whom I have the greatest confidence, and I have never seen a man that I considered more sincere or reliable in any statement he makes, made this statement throughout the country:

The principles and benefits of a protective tariff must be extended to all American industries.

And then, further than that, in a speech at Tulsa, the oil capital of the world, on Thursday, September 27, 1928, Senator Curus, then candidate and now Vice President elect, said:

In the last two revenue bills I proposed a duty on oil. You, in Oklahoma, I see, have requested the limitation of oil production. I took a market report and found that last year we imported 77,000,000 barrels of oil into this country. I suggest that we shut out those 77,000,000 barrels and you would not have to shut down production here.

This means a promise from the Vice President elect that he will give the oil industry a tariff. I plead with him, although I should not need to, because certainly Senator Curris will keep his promise, and with his great power he should be able to deliver a tariff to the oil producers of the country and they are expecting it. [Applause.]

Not only this, Mr. Chairman, but I call the attention of the Democrats to the fact that in their platform written at Houston, Tex., they said that they favored—

a tariff for any industry that would make up the actual difference between cost of production at home and abroad, with adequate safeguards for the wage of the American laborer.

Now, I want to say that when I am home this summer as a private citizen and you are perspiring over this tariff bill, I can not but expect that the Republican Party, through the leaders of the party, including Senator Curtis, and the Democrats, standing on their platform made at Houston, will place an equitable tariff on crude oil and its products, and give the American independent producer, the American laborer, and the American farmer on whose land this oil is produced the protection that you will give to other people in the coming tariff bill. [Applause.]

Mr. DENISON. Will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes; if I have any time.

Mr. DENISON. The gentleman has presented a very forceful argument in favor of a protective tariff policy, and I agree with the gentleman entirely and I am in favor of putting a tariff on crude oil. I want to say that the gentleman's remarks are very interesting, coming from a Democrat and one of the leading Democrats of Oklahoma, and coming from Oklahoma. I am wondering if my friend from Oklahoma believes in the application of that same policy or that same principle of protection to other things produced in this country.

Mr. HOWARD of Oklahoma. I thank the gentleman for asking me that question, because as a Member of this Congress I have voted for every tariff presented, calling the gentleman's attention to the fact that after the war, when we had found we had begun to manufacture in this country articles that we had

not manufactured previous to the war, and you presented bills here to that effect, I supported those bills. Of course, the gentleman knows that I was not a Member of Congress when the Fordney-McCumber bill was passed. I supported an emergency tariff on agriculture and have, and always will, support every tariff bill that equalizes the opportunities of American capital with that of foreign nations and protects American labor from the ill effects of cheap foreign labor. [Applause,]
Mr. DENISON. I am very glad to hear the gentleman say

that.

Mr. FRENCH. Mr. Chairman, I yield 15 minutes to the gen-

tleman from Nebraska [Mr. Simmons].
Mr. SIMMONS. Mr. Chairman, on January 11, 1929, I presented to the House a report on fiscal relations between the United States and the District of Columbia which has been printed as House Document No. 506.

January 29, 1929, the Evening Star carried the following statement made by the Senator from Connecticut [Mr. Bing-Ham], chairman of the Senate Subcommittee on Appropriations for the District of Columbia.

Without reading the whole article I ask unanimous consent to

insert it in the RECORD.

Mr. BANKHEAD. Mr. Chairman, I would like to inquire of the gentleman is this going to create any controversy with reference to the attitude of the United States Senator—

Mr. SIMMONS. I take it not.

Mr. BANKHEAD. I think we are going pretty far in our debates recently in criticizing acts and activities of Members

of the other body. That is against the rules.

Mr. SIMMONS. I am not violating the rule. The matter referred to is not a discussion on the floor of the other body. This is a press report carried in outside publications and has no reference to anything that took place in the other body.

Mr. TILSON. Will the gentleman yield?

Mr. SIMMONS. I will.

Mr. TILSON. Does the article serve as a text for the gentleman's own remarks?

Mr. SIMMONS. Yes; that is the reason I ask that it be printed as a part of my remarks.

Mr. TILSON. The gentleman is going to proceed to discuss that statement?

Mr. SIMMONS. Yes, sir.
The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The statement referred to is as follows:

A study of this report leads to a feeling of satisfaction that there has been prepared such a detailed independent study of the taxation and fiscal affairs of all-cities in the United States having an estimated population of between 300,000 and 1,000,000.

It is obvious that the city of Washington, with a population of something more than half a million, has very similar problems and that in attempting to judge the nature of the fiscal relations between the Government of the United States and the District of Columbia such figures are of help.

As has been pointed out by Representative SIMMONS, the chairman of the subcommittee of the House Committee on Appropriations in charge of the District of Columbia appropriation bill, some matters have been left out which should have been given consideration: I understand that in accordance with his suggestions a supplementary report is in progress of preparation and I shall read it with interest when it appears.

INCLINED TO AGREE WITH BUREAU

I am inclined to agree with the Bureau of Efficiency that the solution of the problem of fiscal relations lies in determining the Federal Government's liability toward the cost of running the District of Columbia along the lines of the tax liability of the Federal Government as a municipal taxpayer in connection with the ordinary costs of government and also its liability on account of extraordinary expenditures occasioned by the fact that Washington is the National Capital and that the District is not at liberty to tax Government property.

Four interesting questions rise: (1) What is the liability of the Federal Government as a municipal taxpayer? (2) What is the loss of tax revenue to the Government of the District of Columbia on account of excessive exemptions of real property? (3) How much of the cost of excess park acquisition and maintenance should be met by the Federal Government? (4) How much of the liability of the Federal Government as a municipal taxpayer should be offset by reason of the very considerable economic benefits accruing to the District owing to the presence here of national monuments and great public buildings which make Washington the mecca of hundreds of thousands of tourists?

HOLDS \$7,440,939 FAIR CHARGE

According to the report a fair charge on the Federal Government as a municipal taxpayer would be \$7,440,939. As a matter of fact, the Federal Government makes a contribution of \$9,000,000, which leaves a balance of \$1,550,061 to be applied to the items of excess park acquisition and maintenance and recovery of revenue lost on account of excessive exemptions of real property from taxation.

It appears to me that there might properly be added to that balance the \$451,857 with which the report charges the Federal Government as a tax on intangible personal property. I have grave doubts as to the justification for such a liability on the part of the Federal Government. If this were added to the balance, it would give us \$2,011,000 to be applied to the excess items.

A study of the tables would seem to show that a fair charge in connection with the parks would be about \$1,100,000, leaving about \$900,000 to apply to the loss of revenue due to excessive exemption.

A careful study of the schedules of exempt property valuations shows that the ratio of exempt to taxable real property is three times as high for Washington as for other cities. At first sight it would appear that this would justify a very great increase in Federal aid to the However, when there is deducted from the exempt property United States property on which it may be assumed we are now paying taxes under cover of the \$9,000,000 appropriation, there still remains a total of \$283,991,600 of exempt property apart from that owned and used by the Federal Government. This item is made up of exemptions for educational and scientific institutions, religious purposes, hospitals, charitable and benevolent institutions, embassies and legations, and a very considerable amount of public property used for parks and for the benefit of the city of Washington. A study of the tables shows that this is larger than that of any other city in the country of comparable size except the city of Boston, where there is an unusual amount of United States and Massachusetts State property.

A fair average amount of exempt taxable property for a city of this size is about \$180,000,000. By reason of this being the Capital of the Nation there is located here an unusual number of nontaxable institutions and an unusual amount of nontaxable public property, bringing the total to more than \$100,000,000 in excess of that amount. It seems to me fair that the United States should pay toward the expenses of the District of Columbia an amount of money equivalent to normal taxes on that \$100,000,000 of real property that is in excess of ordinary average exemptions for a city of this size. That means something over \$1,700,000. Of that amount it is fair to say that the Federal Government is at the present time paying \$900,000, or the balance of the lump-sum contribution, in my opinion.

A study of the report offers the further thought that the District taxpayers are not being taxed more heavily than other cities of this size.

Finally, the showing regarding the extraordinary amount of park area provided here by reason of this being the Nation's Capital and which makes our park area nearly twice as much as most cities of this approximate size, would justify the Federal Government bearing the amount equivalent to the difference between the cost of parks in average cities of this size and that of the Nation's Capital, or, say, \$1,100,000.

In conclusion, it would seem to me fair that the United States should contribute something over \$800,000 more as its share of running the government of the District and I would suggest that the bill be amended by adding \$800,000 to the \$9,000,000 lump sum now included in the bill.

My study of the report leads me to believe that the Federal Government ought to make an effort to pay taxes on its tangible property in the District of Columbia and the lump sum contributed by the Federal Government to the District revenues ought, I believe, to vary as the value of the property of the Government varies.

Mr. SIMMONS. The Senator in the statement asks four questions and answers three of them. The question unanswered is No. 4 of the above, which I quote:

How much of the liability of the Federal Government as a municipal taxpayer should be offset by reason of the very considerable economic benefits accruing to the District owing to the presence here of national monuments and great public buildings which make Washington the Mecca of hundreds of thousands of tourists?

The Senator does not answer the question and does not attempt to give the United States any credit for the "offset." feel that the "offset" suggested is too restricted in its scope. In my statement on fiscal relations in the House last week, Wednesday, January the 23d, I suggest the scope of the "offset" and several easily determinable amounts. Repetition here is not necessary Senator BINGHAM answers the first question: "What is the liability of the Federal Government as a municipal taxpayer?" by reaching the sum of \$6,989,082 as the proper amount and rejects the Bureau of Efficiency figure of \$7,440,939. The Senator shares the same "grave doubt" that I expressed as to the justification of a charge against the United States as an intangible tax and he therefore deducts, properly, I think, from the \$7,440,939 which the Bureau of Efficiency reached, leaving a total of \$6,989,082 as the normal "tax" bill of the United States to the District of Columbia. The Senator, however, accepts without question the "tax" on tangible personalty of \$1,536,315—in spite of the fact that that charges the United States for the fiscal year 1928 with 51 per cent of the taxable tangible personal property of the District. I submit, as I did in my previous statement, that that is an absurd charge against

the United States. Either it is too high as a "charge" against | the United States, or it means that the District citizen is not paying his full share of District tangible taxes. In either event the charge is unfair to the United States on a comparative basis. But let us accept the Senator's figures of \$6,989,082 as a proper "tax"—leaving \$2,010,918, which the \$9,000,000 lump-sum payment gives to the district over and above a normal "tax." The Bureau of Efficiency in its report on fiscal relations, page 5, arrives at a tax "payable by the United States to the District of Columbia of \$7,440,939," divided as follows:

Real property tax______
Tangible personalty_____
Intangible personalty_____ \$5, 452, 767 1, 536, 315 451, 857 7, 440, 939

The Senator then asks question No. 2:

What is the loss of tax revenue to the government of the District of Columbia on account of excessive exemptions of real property?

This question is answered in table No. 5 of the report, page 11. The table shows that Washington has exempt from taxation \$283,991,600. The Senator says that this is excessive in comparison with other cities, and says that \$180,000,000 is a fair average amount for a "city of this size." Presumably he has selected Buffalo as the model city, for Buffalo has as its ratio of exempt to taxable property 17.33 per cent as against 17.35 per cent as the average of all cities shown in the table except Washington. The Senator, therefore, assumes that Buffalo's exempt property and Washington's ought to be equal and proposes to charge to the United States \$100,000,000 of "excess exemptions." The error in the Senator's calculations arises from the fact that he does not include the whole equation. Buffalo has assessed real estate of \$1,031,770,390. Washington has assessed real estate of \$1,031,770,390. Washington has assessed real estate of \$1,438,844,177 (this figure includes \$320,751,015 of United States real property, on which the Bureau of Efficiency figures a real tax of \$5,452,767).

The ratio of exempt to taxable real property in Buffalo is

17.33 per cent. The ratio of exempt to taxable real property in Washington is 19.74 per cent.

Table No. 2 shows that Buffalo has an assessed value per capita of \$1,865.77, while Washington's assessed value per capita is \$2,740.66. The Detroit bureau of governmental research table inserted in the hearings on the District of Columbia bill, page 572, shows that Buffalo is assessed on an estimated basis of 78 per cent of actual value, while Washington is assessed on an estimated basis of 90 per cent actual value. The Bureau of the Census figures that Buffalo real property is assessed at 75 per cent of its real value, while Washington is assessed at 100 per cent. (See table, p. 1076, hearings on District of Columbia bill, fiscal year 1929.) It is perfectly obvious that Buffalo has lower percentage of value as the basis of the assessment of real property and that this lower percentage is reflected both in the amount of real property exempt and real property taxed. The true comparison between Buffalo and Washington is not the isolated table of exemptions alone but by a comparison of exemptions to real property taxed in both cities. On that basis Washington has 19.74 per cent exempt, while Buffalo has 17.33 per cent exempt. The average exempt ratio is 17.35 per cent, thus making Washington 2.39 per cent above the average in real property exemptions. ington is 2.41 per cent above Buffalo in exemptions. For facility in figuring let us accept 2.4 per cent as the proper figure; \$1,438,844,177 is the total assessed taxable real property; 2.4 per cent of that is \$34,532,260; add, then, \$35,000,000 to the assessed "taxable" property charged to the United States, and Washington will then be reduced to the average of the cities studied in exemptions. A tax of \$1.70 a hundred on \$35,000,000 That, in my opinion, is the maximum of posgives \$595,000. sible losses by virtue of "excessive exemptions" of real property in answer to question No. 2.

It will be interesting to analyze the Senator's \$180,000,000

figure as the measure of exempt property.

The Bureau of Efficiency report, after deducting the \$320,-750,000 of United States property on which taxes are assumed as paid under the \$9,000,000, still leaves \$283,991,600 of property as exempt from taxation. This latter sum is made up as

Religious purposes 25. Cemeteries 2. Hospital, charitable, and benevolent institutions 13. All other, including embassies and legations 5.
--

Total, private property exempt

Other exempt public property:

United States property dedicated to use
of the District

District of Columbia park property
(small areas, playgrounds, etc.) _____ 80, 000, 000

\$31, 915, 412

Other exempt public property—Continued.

District of Columbia owned property

(municipal) \$50,000,000 - 119,040,217 United States park property_____

\$203, 991, 600 283, 991, 600

Grand total, exempt property____ The foregoing statement shows a total of exempt property of \$283,991,600, of which \$80,000,000 is private property. remainder is public property, either owned by the United States or by the District.

If, as the Senator proposes, the total exemptions are reduced from \$283,991,600 to \$180,000,000, or in the sum of \$103,991,600, it is logical to find out just what that \$180,000,000 would then consist of, or upon what property the United States would be asked to pay taxes by reducing the total amount of exempts by \$103,991,600, upon which, at the rate of \$1.70, the United States would be asked to assume \$1,767,857.20 in taxes.

In arriving at the matter from either direction certain property must inevitably be included in the exempt list. There can be no question about leaving in the present exemptions the following property, which is either wholly municipally owned or which is United States owned and dedicated to District uses without any rent charge from the United States, namely:

United States property dedicated to District use \$31, 915, 412
District of Columbia owned park property 3, 035, 971
District of Columbia owned property (municipal) 50, 000, 000

84, 951, 383

Deducting this sum of \$84,951,383 from the Senator's \$180,-000,000 still leaves \$95,048,617 for exempts under his calculation. What would that consist of? Shall it include all of the \$80,000,000 of privately owned exempt property and thus leave the United States to pay taxes on \$104,991,600, or 87 per cent, of the \$119,040,217 of the federally owned park property which is a municipal benefit and usable by the people of the District as freely as their city-owned park property? Or shall the United States pay taxes on some part of the privately owned exempt property and taxes on a smaller percentage than 87 per cent of the federally owned park property? Whichever way you take the suggested \$180,000,000 figure of exemptions the result will either require the United States to pay taxes on some of the privately owned exempt property or on a larger percentage than it should be called upon to pay for exemption of parks which it owns and which it makes available to all intents and purposes as municipal parks. On the other hand, by using the Bureau of Efficiency report and arriving at the average of exemptions for other comparable cities, I have shown that a fair reduction in the \$283,991,600 of exempt property would be \$35,000,000, bringing the figure down to \$249,000,000 instead of the \$284,000,000.

That figure of \$35,000,000 should be applied, not on the \$84,951,383 of District-owned property and United States property dedicated to District purposes, not on the \$80,000,000 of privately owned property, but to the \$119,040,217 of Federally owned park property. By doing this the United States would assume taxes on approximately 30 per cent of the parks which it owns and which have made it unnecessary for the municipality to go in as deeply for park acquisitions as some other cities have been compelled to do, and largely by bond issues. The taxes on this 30 per cent would, as I have heretofore pointed out, amount to \$595,000.

This \$35,000,000 is the only fair reduction in the \$284,000,000 of exempt property that should be made, based upon the equitable average figures of the Bureau of Efficiency report. \$35,000,000, however, is \$68,991,600 less than the \$103,991,600

by which the Senator would reduce the total exemptions. I respectfully suggest that this difference of \$68,991,600 of exemptions-which, at \$1.70, would carry taxes of \$1,172,857.20is the answer to the fourth question which he asked, but did

not answer, namely:

How much of the liability of the Federal Government as a municipal taxpayer should be offset by reason of the very considerable economic benefits accruing to the District, owing to the presence here of na-tional monuments and great public buildings which make Washington the Mecca of hundreds of thousands of tourists?

The Senator suggests a reduction in the total exemptions of \$103,991,600 which, applying the \$1.70 tax rate, would charge the United States with \$1,767,857.20. I suggest following the Bureau of Efficiency report figures and reduce the exemptions Bureau of Efficiency report figures and reduce the exemptions by \$35,000,000, which, applying the \$1.70 tax rate, would charge the United States with taxes of \$595,000. The difference between the two sets of figures is \$68,991,600 of exemptions and \$1,172,857.20 in taxes to the United States. I know of no better place for him to find the answer to his fourth question.

I am pleased at the Senator's finding that the District tax-

payer is not being taxed more heavily than other cities of this

size. The tables of the report show that they are taxed under cities of their size.

Then the Senator asks this question:

How much of the cost of excess-park acquisition and maintenance should be met by the Federal Government?

He states that the Federal Government should bear-

the amount equivalent to the difference between the cost of parks in average cities of this size and that of the Nation's Capital, or, say \$1.100.000.

How he arrives at that figure is not disclosed. Table No. 1 page 7, shows that Washington has 1 acre of parks to every 140

people, while the average is 1 acre to 253 people.

Table No. 13, page 76, answers the Senator's question. It shows that Washington has a per capita cost of \$2.38 for "recreation" as against an average of \$1.65 for the comparable cities, or 73 cents per capita above the average. This is the item in which the parks are carried. Five hundred and fifty thousand persons, at 73 cents each, equals \$401,500 that this excess costs above the average.

We have, then, from the Bureau of Efficiency report the fol-

lowing answer to the Senator's question:

Ordinary tax load______ Loss by excessive exemptions_____ \$6, 989, 082 595, 000 401, 500 Excess park maintenance_

7, 985, 582

This leaves, by the \$9,000,000 payment by the Federal Government, \$1,014,418 over and above all items which the Senator included in his statement, with the exception of park purchases, which is a variable sum, from year to year. No figures are available as to who paid the cost of park lands already acquired. The bill this year carries \$1,000,000 for park purchases. Upon the basis of these fermions. chases. Upon the basis of these figures the United States is not only paying a fair tax on its property, the excess cost of exemptions, and excess park maintenance above the average, but over and above that is paying \$1,000,000 for parks in [Applause.] the city.

Mr. FRENCH. Mr. Chairman, I move that the committee do

now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Luce, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16714, the naval appropriation bill, and had come to no resolution thereon.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 16301) making appropriations for the independent establishments of the Government for the fiscal year 1930, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

Mr. GARRETT of Tennessee. That is agreeable to the

minority?

Mr. WASON. Yes.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent to take from the Speaker's table the bill H. R. 16301, the independent offices appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. Wason, Mr. Summers of Washington, Mr. Allen, Mr. Cullen, and Mr. VINSON of Kentucky.

THE HARRIS AMENDMENT

Mr. COX. Mr. Speaker, in view of certain references made to the distinguished senior Senator from Georgia in the discussion in the House yesterday on House Resolution 303, I ask unanimous consent to extend my remarks in the RECORD by inserting therein three short editorials appearing in as many newspapers of Georgia,

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

Mr. SCHAFER. Mr. Speaker, reserving the right to object,

what are the editorials about?

Mr. COX. They are in refutation of an inference made in the discussion of yesterday to the effect that the Senator was actuated by political motives in offering his prohibition amend-ment calling for added appropriations for the enforcement of the prohibition law.

Mr. SCHAFER. And the editorials maintain that he was

Mr. COX. Yes.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. CRAMTON. I shall not object, but I would observe this, since I was one of those who mentioned the name of the Senator from Georgia yesterday, I did not, and I do not think that any one ascribed motives, political or otherwise, to the Senator from Georgia.

Mr. RANKIN. Oh, the gentleman is mistaken about that;

and I can show him the RECORD.

Mr. CRAMTON. I do not yield. I did ascribe political motives to the Democratic Party in this House in their movement conducted with reference to that question, and I doubt if the newspapers of Georgia have any better evidence upon that than we have here; but I do not object. I have a very high regard for the Senator from Georgia.

Mr. TILSON. Mr. Speaker, in view of the fact that this relates to a matter that was discussed here yesterday, I think it is proper that these editorials should go in the RECORD, and

therefore hope that no one will object.

Mr. SCHAFER. Mr. Speaker, further reserving the right to object, in view of the fact that the new wet leader in the House does not object, I shall not object.

Mr. GARRETT of Tennessee. Do I understand that the gentleman from Michigan [Mr. CRAMTON] says that he attributed political motives to the Democratic Party? An astounding presumption!

The SPEAKER. Is there objection to the request of the

gentleman from Georgia?

There was no objection. Mr. COX. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the three short editorials published in Georgia newspapers, which are as follows:

[From the Albany Daily Herald, January 29, 1929]

SENATOR HARRIS

The several gentlemen who are reported to be grooming themselves for Senator William J. Harris's office might do well to put their ears to the ground before spending time and money in an effort to return him to private life. We have no quarrel with those who aspire to high office, but the man who imagines he can beat Senator Harris in 1930 is so lacking in judgment that he prejudices his own case. He tempts us to conclude that he is lacking in the qualifications with which a Senator should be endowed.

If opposition to the Senator is to be an echo of 1928, and if his opponent is to base his claim on the vote cast in Georgia last November, a study of the returns will give no comfort to the anti-Harrisites. Senator HARRIS will be reelected in 1930, no matter what the issue or

who the challenger.

[From the Adel News] SENATORS HARRIS AND GEORGE

With no reference whatever to the last national campaign, but solely from the viewpoint of ability and conscientious service to their State and the Nation as well, this paper here and now goes on record as standing squarely with Senators Harris and George should they have opposition for their seats in the United States Senate in the next election, which is some time off now. It would be a sad day for Georgia should she swap them for some of the politicians who have been suggested as their successors. It would be worse than a calamity to the State and to the country.

[From the Atlanta Constitution, January 31, 1929]

THE HARRIS AMENDMENT

A story printed in the Washington Post of Sunday represents Senator HARRIS as offering his now famous \$24,000,000 amendment to the deficiency bill for increased prohibition enforcement as a clever move "to mend his political fences in Georgia." The story relates that by the Senator's campaign support of Governor Smith he so alienated the dry anti-Smith Democrats of this State as to put in jeopardy his reelection to the Senate next year, but it says his authorship of this amendment "assures that reelection."

No man in high official life in Georgia for half a century has had a closer hold on his constituents than Senator Harris.

In the campaign of last year Senator Harris knew perfectly well the character and extent of the Georgia opposition to Governor Smith, and had he been a timid politician with loose principles and chameleon convictions, he easily might have paltered with the situation. Instead he accepted loyally the actions of his party and, like the courageous man that he is, he gave to the party and to its candidates his faithful support. And the State would have been amazed to witness him doing anything less than that.

There was not a moment during the late campaign, nor has there been one since, when the reelection of Senator HARRIS was dubitable. It needed no reenforcement by this \$24,000,000 prohibition appropriation or any other. No one in Georgia ever doubted the Senator's conscientious devotion to the prohibition cause and all understand that the appropriation he champions is a sincere nonpolitical and nonelectioneering endeavor to promote the better enforcement of the pro-1

He was plenarily fortified in declaring to the Senate that prohibition enforcement, so-called, is an all too palpable "farce," and he is fully justified in putting up to the authorities-the Congress and the administration-whether they are set to continue the great farce or accept some helpful part of the enormous fund they admit will be demanded to secure any very obvious betterment of present conditions.

At least Senator HARRIS has brought the crucial issue face to face with those whose duty it is to make prohibition effective, if that is at all possible. They must now agree with him, accept the proffered

aid, or throw up their hands in admitted despair.

As for his support of Governor Smith's candidacy after nomination, that added to the popular esteem for Senator Harris instead of derogating from it. He thereby enhanced his reputation as a 100 per cent Democrat who was and is loyal enough to subordinate a personal desire to the demands of the great party of which he is so distinguished and useful a leader.

PRINTED HEARINGS REFORE COMMITTEE ON WAYS AND MEANS

Mr. BEERS. Mr. Speaker, I present the following privileged report from the Committee on Printing, which I send to the desk and ask to have read.

The Clerk read as follows:

House Concurrent Resolution 48

Resolved by the House of Representatives (the Senate concurring). That, in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed 2,500 additional copies of the hearings held before the committee entitled "Tariff Readjustment, 1929" during the current session.

With the following committee amendments:

In line 6, after the word "the" where it appears for the first time, insert the word "consolidated," and, in line 7, after the word "committee," insert the words "relative to."

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. BEERS. Yes, Mr. GARRETT of Tennessee. Can the gentleman inform us, or if not, can the chairman of the Committee on Ways and Means inform us, whether the hearings are being printed daily?

Mr. HAWLEY. The daily hearings are being printed daily.

Mr. GARRETT of Tennessee. And are they right up with the work there?

Mr. HAWLEY. Yes. The hearings of one day will be in

printed form the second morning after that day.

Mr. GARRETT of Tennessee. Mr. Speaker, some Members have spoken to me about getting copies of these hearings. There seems to be a misunderstanding on the part of some Members about/committee hearings. Some seem to think that they are obtainable at the document room and that they are distributed through that room. I think it well to have the statement go in the RECORD that no committee hearings, except by special order, are ever distributed through the document room or the folding room. They are distributed from the committee rooms them-selves. I take it that any Member interested can by going to the Committee on Ways and Means obtain copies of these hear-

Mr. HAWLEY. Yes. We have been sending them out and will continue to do so so long as the supply lasts. We are taking the full thousand that we are entitled to print. This resolution provides for printing the consolidated hearings, when they are corrected, and they will be available to everybody in the committee room.

Mr. GARRETT of Tennessee. This is the usual resolution?

Mr. HAWLEY. Yes.

Mr. LAGUARDIA. On two occasions I have asked for hearings on certain schedules and I been unable to obtain them.

Mr. HAWLEY. At first we thought that 600 copies would be sufficient, but an unprecedented number of witnesses has appeared and the 600 limit was raised to the full thousand.

The question was taken, and the committee amendments were agreed to.

The resolution was agreed to.

COMPILATION OF FACTS REGARDING AMENDMENTS TO THE CONSTI-TUTION

Mr. BEERS. Mr. Speaker, I have another privileged resolution.

The SPEAKER. The Clerk will report the resolution. The Clerk read as follows:

House Resolution 82

Resolved, That the compilation made by M. A. Musmanno from the CONGRESSIONAL RECORD of the facts regarding all amendments of the other cases of like character by the courts.

Constitution of the United States proposed since 1889 be printed as a public document.

The question was taken, and the resolution was agreed to. SUITS AGAINST DISTRICT OF COLUMBIA-CONFERENCE REPORT

Mr. ZIHLMAN. Mr. Speaker, I call up the conference report on the bill (S. 3581) to authorize the Commissioners of the District to settle claims against the District of Columbia.

The conference report was read.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3581) entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the language inserted by the House insert the following:

SEC. 2. The Commissioners of the District of Columbia are hereby authorized and empowered to grant relief in claims for refund of taxes paid, or for cancellation of assessments heretofore made and subsequent to September 1, 1916, in such cases where like assessments, or assessments against property of similar character, have been held to be void or erroneous by decision of the Supreme Court of the District of Columbia, the Court of Appeals of the District of Columbia, or the Supreme Court of the United States: Provided, That any claims for refunds of taxes heretofore paid or for cancellations of assess-ments heretofore made shall be filed within one year from the approval of this act.

Nothing contained in this act shall be construed as reducing the period of the statute of limitations."

And the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

FREDK. N. ZIHLMAN, CHARLES L. UNDERHILL, RALPH GILBERT, Managers on the part of the House. ARTHUR CAPPER, JOHN J. BLAINE, WILLIAM H. KING, Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3581) entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the conference report, namely:

On No. 1: By this amendment the House struck out the section of the Senate bill limiting proceedings to cancel tax assessments or recover taxes paid to one year from the date of the decision of a court of last resort holding void the tax law.

The House amendment limited the time for filing such claims to a period of one year from the approval of the act, but under such amendment the claims to be filed within the year might involve taxes or assessments over an unlimited period of years. On the other hand, the bill as passed by the Senate would allow no relief unless a court of last resort (presumably the Supreme Court of the United States) held the tax law or assessment void. This would not cover cases arising under the socalled Borland law or amendment since September 1, 1916, in which certain assessments for paving or repaving have been held erroneous by the District Supreme Court, the Court of Appeals, or the Supreme Court of the United States.

By the action of the conferees the Senate recedes from its disagreement to the amendment of the House No. 1, and agrees to the same with an amendment limiting the claims to be filed within a year from the approval of the act to those involving taxes or assessments since September 1, 1916, the date of the Borland amendment or law. This puts a practical limitation on the claims to be handled by the commissioners, and is in accordance with the recommendation of the corporation counsel of the District of Columbia. Passage of the bill, so amended, will afford relief to those who have been unjustly taxed or assessed and discriminated against, as determined in

On No. 2: The bill as reported to the Senate by its District | of Columbia Committee limited settlements by the District Commissioners to \$5,000 in amount. The Senate, in passing the bill, reduced the amount to \$3,000. The House, by its amendment No. 2, restored the amount of authorized settlement to \$5,000, which is in accordance with the bill as originally drafted by the District Commissioners and the corporation counsel, and also the general policy of Congress with respect to claims against the Government. By action of the conferees, the Senate recedes from its disagreement to the amendment of the House No. 2, and agrees to the same.

> FREDK. N. ZIHLMAN, CHARLES L. UNDERHILL, RALPH GILBERT. Managers on the part of the House.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I have no desire to do, can the gentleman give any information as to the prospect of getting legislation completed in reference to condemnation proceedings in the District of Co-

Mr. ZIHLMAN. I will say to the gentleman that the House has already passed that legislation. The House committee appointed a subcommittee to follow that legislation in the Senate. The Senate have agreed to the bill with some slight amendments, which I understand are acceptable to the corporation counsel and attorney for the Department of Justice. My understanding is that the bill is on the Senate Calendar, amending the code providing for condemnation in the District of Columbia.

Mr. CRAMTON. There is some one following it up and

making some effort to get it to us?

Mr. ZIHLMAN. The District Committee of the House have had a subcommittee wait upon the Senators composing the District of Columbia Committee and have enlisted their cooperation in agreeing on a bill which I understand is now on the Senate Calendar.

Mr. CRAMTON. That applies to purchases for the District

of Cólumbia and not for the Federal Government?

Mr. ZIHLMAN. This is for the Federal Government. addition the Senate has reported a bill changing the method for the District of Columbia government. The bill passed by the House and amended by the Senate applies to purchases by the Government.

Mr. CRAMTON. Both of these bills are of great importance. Mr. ZIHLMAN. And the committee has been following up the legislation in every possible way.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

JOHN W. STOCKETT

Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2319, to disagree to the Senate amendments, and that the conferees be appointed.

The SPEAKER. The Clerk will report the bill,

The Clerk read as follows:

A bill (S. 2319) for the relief of John W. Stockett.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, can the gentleman from Kansas give us some idea about this situation? It is my recollection of it that the Senate bill raised this allowance far beyond the agreement arrived at by the House. What is the fact?

Mr. STRONG of Kansas. The Senate raised it to \$142,500. The House reduced it and put on an amendment limiting the attorney's fee to 10 per cent.

Mr. CRAMTON. What is the provision as to the attorney's fee in the Senate bill?

Mr. STRONG of Kansas. Nothing.

Mr. CRAMTON. The House bill fixed \$50,000 as the amount of the claim, and the Senate raised the amount to \$142,500. There seems to be nothing to prevent the extra \$100,000 going to the attorney. Is the gentleman from Kansas in a position to give any assurance to the House as to the attitude of the conferees?

Mr. STRONG of Kansas. The War Claims Committee by a unanimous vote requested the conferees that might be appointed from that committee to insist on the House amendment. If I am on the conference, I shall do that.

Mr. LaGUARDIA. Is it not a fact that after the passage of this bill by the House the person involved has made a statement

to the effect that he was perfectly satisfied with the amount carried in the House bill?

Mr. STRONG of Kansas. I am advised by the clerk of the Senate committee that they have a signed statement from the claimant that he is willing to accept the House amendment.

Mr. CRAMTON. If the House should accept a provision to pay \$142,500, with no limitation as to the attorney's fee, you might as well go out of the business of having a War Claims Committee or a Claims Committee and pass these bills as the Senate demands. But I am so well satisfied that the House conferees will not yield to that sort of legislation that I shall not object

Mr. SNELL. Is this the bill concerning which common rumor says that as it passed the Senate it carries three times the

amount the claimant would have been satisfied with?

Mr. STRONG of Kansas. I am not prepared to answer that. Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. STRONG of Kansas. Certainly.

Mr. GARRETT of Tennessee. I suppose all this is going into the RECORD. Referring to the statement of the gentleman from New York [Mr. LAGUARDIA], I do not know anything about a private agreement; but from the record itself, the official record of the committee and of the Congress, there certainly is no indication that anywhere a bill was put through for more than the claimant thought he was entitled to: but, on the contrary, the claimant believes that he was entitled to three times as much as is contained in the bill, and measured by the amount paid upon other patents of a similar character, his claim would lie.

Mr. CRAMTON. Will the gentleman from Kansas yield in order that I may answer the gentleman from Tennessee?
Mr. STRONG of Kansas. Yes.

Mr. CRAMTON. Whatever may be the equitable amount due to the claimant, under a bill that has no limitation as to attorney's fees, there is no certainty as to what the claimant himself will get. Does the gentleman from Tennessee think that it is a safe or proper practice for Congress now to adopt, to pass a claims bill with no limitations on the attorney's fee?

Mr. GARRETT of Tennessee. Well, Mr. Speaker, I see no

real necessity for answering that question-

Mr. CRAMTON. Not a particle of necessity-Mr. GARRETT of Tennessee. But I will say that I do not think that Congress ought to interfere with a contract. However, the attorney's fee question is not involved in this request to go to conference. The only reason why I have interposed was that this claim must not be prejudiced by remarks, not made by the gentleman from Michigan, but by the gentleman from New York [Mr. LAGUARDIA], that the bill has been lobbied through for three times as much as the claimant wanted.

Mr. LAGUARDIA. I want to say that the Supreme Court in the Massey case held that the Congress could fix the rate for

attorney's fees.

Mr. GARNER of Texas. Why do you not have it fixed in all cases? You ought to have a general law.

Mr. LaGUARDIA. I am willing to make it general.
Mr. CRAMTON. If the gentleman will yield further, the practice is well established, so far as I know, as to all of these claims. For instance, we discussed it at length on Wednesday in connection with Indian claims, where it has been settled that 10 per cent should be the limit, and we have considered going further than that in some cases and providing that in no event

should the amount be over \$25,000.

Mr. GARNER of Texas. What I am suggesting is that we ought to pass a general statute as to all these claims, providing a maximum fee, if you desire, and a minimum fee, so that it will apply to all bills alike. We discussed this in the Ways and Means Committee with reference to certain limitations, the report having come to Congress that claims for tax refunds are costing the taxpayers 50 per cent of their refunds and some of them running as high as \$300,000 and \$400,000 on one claim. It seems to me it will not be long before Congress will have to take charge and see whether a taxpayer is overcharged for the services of an attorney, so it seems to me Congress should take a comprehensive view of it and pass a general statute as to applications for refunds out of the Treasury and for appropriations out of the Treasury by Congress.

Mr. CRAMTON. As far as I am concerned, I am not disposed to oppose any such limitation, however broad it is, but until that good time arrives I do not want to see any claim bill go through without a limitation, and it has this much weight with me, that if I did not fully trust the committee that is going to have charge of it in conference and feel sure they would not permit the bill to go through as it passed the Senate, I should object to

its going to conference at all.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. Strong of Kansas, Sinclair, and Lowrey. CHRISTOPHER COLUMBUS MEMORIAL LIGHTHOUSE AT SANTO DOMINGO

Mr. PORTER. Mr. Speaker, I ask unanimous consent to file a supplemental report from the Committee on Foreign Affairs on House Joint Resolution 354, authorizing the appropriation of the sum of \$871,655 as the contribution of the United States toward the Chistopher Columbus Memorial Lighthouse at Santo Domingo.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to file a supplemental report from the Committee on Foreign Affairs on House Joint Resolution 354, which

the Clerk will report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?
Mr. GARRETT of Tennessee. Were any minority views filed? Mr. PORTER. No. I will say for the information of the gentleman that some question arose as to the cost of maintaining this memorial after it was constructed. I received information vesterday from the Dominican Government that it was perfectly willing to pay all the expenses of maintenance, and that is what I have put in the supplemental report.

Mr. LAGUARDIA. This is a memorial to Christopher

Columbus?

Mr. PORTER.

Mr. PORTER. Yes, Mr. LaGUARDIA. Who was not a Nordic. The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KNUTSON, at the request of Mr. CLAGUE, on account of sickness.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the committee did on this day present to the President for his approval bills and a joint resolution of the House of the following titles:

H. R. 9570. An act to provide for the transfer of the returns office from the Interior Department to the General Accounting

Office, and for other purposes;

H. R. 11859. An act for the relief of B. C. Miller; and H. J. Res. 350. Joint resolution to provide for the reappointment of Frederick A. Delano and Irwin B. Laughlin as members of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Saturday, February 2, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 2, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To authorize and direct the Secretary of War to execute a lease with Air Nitrates Corporation and American Cyanamid Co. (H. R. 8305).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES (10 a. m.)

Continuing the powers and authority of the Federal Radio Commission under the radio act of 1927 (H. R. 15430).

COMMITTEE ON RIVERS AND HARBORS

(10.30 a. m.)

To authorize the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor (S. 1710).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

796. A letter from the Comptroller General, transmitting report and recommendation to the Congress concerning the claim of Clyde H. Tavenner for the refund of the unused portion of money deposited by him with the Public Printer for the printing

of speeches in 1916 when he was a Member of Congress; to the Committee on Claims.

797. A letter from the president of the Washington Gas Light Co., transmitting detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ending December 31, 1928; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. NEWTON: Committee on Interstate and Foreign Commerce. S. 5452. An act to amend the trading with the enemy act so as to extend the time within which claims may be filed with the Alien Property Custodian; without amendment (Rept. Referred to the House Calendar.

Mr. MORROW: Committee on Indian Affairs. S. 5146. An act to reserve certain lands on the public domain in Santa Fe County, N. Mex., for the use and benefit of the Indians of the San Ildefonso Pueblo; without amendment (Rept. No. 2324). Referred to the Committee of the Whole House on the state of

the Union.

Mr. LEAVITT: Committee on Indian Affairs. S. 5147. An act to reserve 920 acres on the public domain for the use and benefit of the Kanosh Band of Indians residing in the vicinity of Kanosh, Utah; with amendment (Rept. No. 2325). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 16451. A bill to provide for the inspection of the battle field of Star Fort, S. C.; without amendment (Rept. No. 2326). Referred to the Committee of the Whole House on the state of the Union. Referred

Mr. HAUGEN: Committee on Agriculture. S. J. Res. 182. A joint resolution for the relief of farmers in the storm and flood stricken areas of Southeastern United States; with amendment (Rept. No. 2327). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. S. J. Res. 111. A joint resolution authorizing the acceptance of title to certain lands in the counties of Benton and Walla Walla, Wash., adjacent to the Columbia River bird refuge in said State established in accordance with the authority contained in Executive Order No. 4501, dated August 28, 1926; without amendment (Rept. No. 2328). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 14938. bill to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes; with amendment (Rept. No. 2329). Referred to the Committee of the Whole House on the state of the Union.

Mr. WATRES: Committee on the Post Office and Post Roads. H. R. 16131. A bill to enable the Postmaster General to make contracts for the transportation of mails by air from island possessions of the United States to foreign countries and to the United States and between such island possessions, and to authorize him to make contracts with private individuals and corporations for the conveyance of mails by air in foreign countries; with amendment (Rept. No. 2330). Referred to the Committee of the Whole House on the state of the Union.

Mr. GIBSON: Committee on the District of Columbia. 13752. A bill to provide for the construction of a children's tuberculosis sanatorium; with amendment (Rept. No. 2341). Referred to the Committee of the Whole House on the state of

the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on Indian Affairs. H. R. 15440. A bill for the relief of Frank Yarlott; with amendment (Rept. No. 2322). Referred to the Committee of the Whole House.

Mr. HAUGEN: Committee on Agriculture. H. R. 13258. bill for the relief of H. L. Redlingshafer for payments made in official capacity disallowed by the General Accounting Office; without amendment (Rept. No. 2333). Referred to the Committee of the Whole House,

Mr. HAUGEN: Committee on Agriculture. H. R. 15635. A bill for the relief of George A. Hormel & Co.; without amendment (Port No. 2224). Referred to the Committee of the ment (Rept. No. 2334). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. S. 4890. An act authorizing the Secretary of the Treasury to pay the Gallup Undertaking Co. for burial of four Navajo Indians; without amendment (Rept. No. 2335). Referred to the Committee of the Whole House

Mr. UNDERHILL: Committee on Claims. S. 1338. An act for the relief of James E. Jenkins; without amendment (Rept. No. 2336). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 14910. bill for the relief of Cary Dawson; without amendment (Rept. Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 15421. A bill for the relief of D. B. Heiner; without amendment (Rept. No. 2339). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 16122. A bill for the relief of E. Schaaf-Regelman; without amendment (Rept. No. 2340). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. BUSHONG: Committee on Claims. H. R. 9519. A bill for the relief of David McD. Shearer; without amendment

(Rept. No. 2331). Laid on the table. Mr. BUSHONG: Committee on Claims. H. R. 11494. A bill for the relief of Marijune Cron; without amendment (Rept. No. Laid on the table.

Mr. BUSHONG: Committee on Claims. S. 1442. An act for the relief of Brewster Agee; adverse (Rept. No. 2337). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows

A bill (H. R. 16181) for the relief of Petro Melazzo; Committee on Appropriations discharged, and referred to the Committee on Claims.

A bill (H. R. 16745) for the relief of Pasquale Mirabelli; Committee on Appropriations discharged, and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions

were introduced and severally referred as follows:

By Mr. KENDALL: A bill (H. R. 16791) to extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Point Marion, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. STOBBS: A bill (H. R. 16792) to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: A bill (H. R. 16793) to provide for the continued employment of certain research specialists beyond the age of retirement, and for other purposes; to the Committee on the Civil Service.

By Mr. KELLY: A bill (H. R. 16794) to amend the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," proved February 28, 1925; to the Committee on the Post Office

By Mr. NEWTON: A bill (H. R. 16795) to amend the third proviso of section 202 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legisla-

By Mr. SUMMERS of Washington: A bill (H. R. 16796) to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce; to the Committee on Agriculture.

By Mr. HUDSPETH: Joint resolution (H. J. Res. 400) to require the Secretary of War to return to the several States from which they were carried away as spoils of war the muster rolls and other records of their citizens in the war between the

States; to the Committee on Military Affairs.

By Mr. SOMERS of New York; Joint resolution (H. J. Res. 401) providing for a joint committee to investigate and report upon the facts governing the administration of justice in bankruptcy and equity receivership cases in the United States District Courts of the Southern and Eastern Districts of New

York; to the Committee on Rules.

By Mr. ABERNETHY: Concurrent resolution (H. Con. Res. 52) for the appointment of a committee of the House and Senate to cooperate with the New Bern Historical Society and a others, committee of the Legislature of the State of North Carolina in Means.

the observance of certain historical events which occurred during the Colonial and Revolutionary period at New Bern, N. C .: to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. JOHNSON of Indiana: Memorial of the General Assembly of the State of Indiana, indorsing and urging the passage of the cruiser bill now pending in Congress; to the Committee on Naval Affairs.

By Mr. SELVIG: Concurrent resolution of the Legislature of the State of Minnesota, approved January 25, 1929, memorializing the Congress that it is the sense of the members of the Minnesota Legislature that an adequate agricultural tariff be enacted at the earliest possible date; to the Committee on Ways and Means.

By Mr. NEWTON: Memorial of the State of Minnesota, favoring readjustment of tariff schedules affecting agricultural commodities; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions

were introduced and severally referred as follows:

By Mr. ALDRICH: A bill (H. R. 16797) granting a pension to Frank A. Russell; to the Committee on Pensions.

By Mr. BUSHONG: A bill (H. R. 16798) granting a pension to Sarah E. Reinert; to the Committee on Invalid Pensions. By Mr. CRAIL: A bill (H. R. 16799) granting a pension to

Henry Clark; to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 16800) for the relief of the

State of Vermont; to the Committee on Military Affairs.

By Mr. HADLEY: A bill (H. R. 16801) for the relief of J. P. Boland; to the Committee on Claims.

By Mr. HOOPER: A bill (H. R. 16802) granting a pension to Rebecca Ruth Bartram; to the Committee on Invalid Pensions. By Mr. McFADDEN: A bill (H. R. 16803) granting an increase of pension to Geraldine Wheatley; to the Committee

on Invalid Pensions.

By Mr. McSWEENEY: A bill (H. R. 16804) granting a pension to Mary L. Sumney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16805) granting a pension to Margaret Frizzell; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 16806) granting a pension to Maude A. Sarbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16807) granting an increase of pension to Hester Benjamin; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 16808) granting a pension to Charlye H. Lannert; to the Committee on Pensions.

By Mr. O'BRIEN: A bill (H. R. 16809) granting a pension to Idella F. Lemmons; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 16810) granting a pension to Ida Van Loan McWhood; to the Committee on Invalid Pen-

Also, a bill (H. R. 16811) granting a pension to Lizzie F. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16812) granting an increase of pension to Susannah Finkle; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 16813) for the relief of William Henry Tittle; to the Committee on Military Affairs.

Also, a bill (H. R. 16814) for the relief of William McKinley Laws; to the Committee on Military Affairs.

Also, a bill (H. R. 16815) for the relief of Walter F. Kirchoff; to the Committee on Naval Affairs.

Also, a bill (H. R. 16816) to correct the military record of

John J. Mullen; to the Committee on Military Affairs.

By Mr. VINSON of Georgia; A bill (H. R. 16817) granting a pension to Ruth E. Dillman; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8525. By Mr. BARBOUR: Petition of residents of Coalinga. Calif., indorsing House bill 14462, proposing a tariff of \$1 per barrel on crude oil; to the Committee on Ways and Means.

8526. By Mr. BOYLAN: Petition of retail shoe dealers, opposing any change in present tariff rates of hides and leather used in manufacture of shoes; to the Committee on Ways and

8527. By Mr. BULWINKLE: Petition of W. G. Thompson and others, of Charlotte, N. C.; to the committee on Ways and 8528. By Mr. CONNERY: Resolution of City Council of Peabody, Mass., for placing a tariff on finished leather; to the Committee on Ways and Means.

8529. By Mr. GARNER of Texas: Resolution of the Legislature of the State of Texas, requesting appropriate legislation for return of certain war records to the States; to the Committee on Military Affairs.

8530. By Mr. JOHNSON of Texas: Resolution of the Texas Legislature, favoring a fair and adequate tariff on all products of farm and ranch; to the Committee on Ways and Means.

8531. Also, resolution of the Texas Legislature favoring the return of the Confederate records to each of the States relative to the military service of their citizens in the Civil War; to

the Committee on Military Affairs.

8532. By Mr. KVALE: Petition adopted at a mass meeting under auspices of Cooperative Livestock Shipping Association, Willmar, Minn., on January 29, 1929, and presented by O. B. Augustson, chairman of committee, urging prompt enactment by Congress of legislation to provide for adequate supervision of weights and grades of livestock at all direct buying points; to the Committee on Agriculture.

8533. Also, petition of national legislative committee, Veterans of Foreign Wars, by T. M. Thomson, a member, Minneapolis, Minn., urging prompt and favorable action by Congress on House bill 14676; to the Committee on Pensions.

8534. Also, petition of Julia R. Johnston and Eva Norris, Sophia L. Rice Auxiliary, No. 10, Willmar, Minn., urging enactment of legislation increasing pensions for disabled veterans of the Spanish-American War, also for their widows and orphans; to the Committee on Pensions.

8535. By Mr. LINDSAY: Petition of Reserve Officers' Association of the city of Brooklyn, N. Y., favoring sufficient appropriation to provide for the training of 26,000 reserve officers; to the Committee on Military Affairs.

8536. Also, petition of Seldner & Enequist (Inc.), and sundry citizens of Brooklyn, N. Y., praying for passage of Senate bill 1271, known as the Norbeck bird conservation bill; to the Committee on Agriculture.

8537. By Mr. LINTHICUM: Petition of J. Lawrence Fox, Howard A. Kelly, Mrs. J. Bannister Hall, jr., Edwin G. Baetger, jr., Sifford Pearre, Bertram N. Bruestle, J. W. Lindan, Douglas Gorman, William Cunningham, and Glen F. Kahn, all of Baltimore, Md.; Raymond M. D. Adams, Port Deposit, Md.; and Dr. Henry Barton Jacobs, and D. G. McIntosh, jr., Baltimore, Md.; to the Committee on Agriculture.

8538. By Mr. McCORMACK: Petition of Mrs. John J. Broderick, Miss Marie A. Broderick, and Mrs. Charles Flynn, 69 Roseclair Street, Dorchester, Mass., protesting against the so-called Newton maternity bill and the equal rights bill; to the Committee on Interstate and Foreign Commerce.

8539. By Mr. O'CONNELL: Petition of C. A. Week, Fieldston, New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8540. Also, petition of Mrs. Paul C. Ranson, Miami, Fla., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8541. Also, petition of the General Federation of Womens Clubs, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8542. By Mr. PRATT: Petition of history department of the Monticello, Sullivan County, N. Y., high school, favoring approval of the cruiser bill and adequate appropriations to enforce the prohibition law; to the Committee on Naval Affairs,

8543. By Mr. ROBINSON of Iowa: Petition of George Boysen, Boysen Shoe Co., and residents of Cedar Falls, Iowa, regarding tariff on hides and leather; to the Committee on Ways and Means.

- 8544. By Mr. ROMJUE: Petition of W. E. Mitchell, J. A. Brown, et al., of Union Township drainage district, La Grange, Mo.; to the Committee on Irrigation and Reclamation.

8545. By Mr. SELVIG: Resolution of the McCrea Farmers' Club, Mrs. E. H. Brown, secretary, of Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8546. Also, resolution of the Warrenton Community Club, Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8547. Also, resolution of the Joe River Farmers' Club, St. Vincent, Minn., representing 30,000 acres of land, signed by J. W. Brown, president, and John Anderson, secretary, that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8548. Also, resolution of the Boxville Farmers' Club, signed by Mrs. George E. Willey (secretary), M. W. Munger, Elmer

Erickson, John L. Dalquist, and others, of Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

SENATE

SATURDAY, February 2, 1929

(Legislative day of Thursday, January 31, 1929)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had adopted a concurrent resolution (H. Con. Res. 48) to provide for the printing of 2,500 copies of the consolidated hearings on "Tariff readjustment, 1929," in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3581) authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16301) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1930, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Wason, Mr. Summers of Washington, Mr. Allen, Mr. Cullen, and Mr. Vinson of Kentucky were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 2319) for the relief of John W. Stockett, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Strong of Kansas, Mr. Sinclair, and Mr. Lowrey were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 6864. An act to authorize the Postmaster General to require steamship companies to carry the mail when tendered; H. R. 13414. An act to amend section 1396 of the Revised Stat-

H. R. 13414. An act to amend section 1396 of the Revised Statutes of the United States relative to the appointment of chaplains in the Navy;

H. R. 13507. An act to amend section 3 of Public Act No. 230 (37 Stat. L. p. 194); H. R. 14920. An act granting the consent of Congress to the

H. R. 14920. An act granting the consent of Congress to the State of Wisconsin' to construct, maintain, and operate a free highway bridge across the Rock River at or near Center Avenue, Janesville, Rock County, Wis.;

H. R. 15324. An act authorizing the attendance of the Marine

H. R. 15324. An act authorizing the attendance of the Marine Band at the Confederate veterans' reunion to be held at Charlotte, N. C.;

H. J. Res. 340. Joint resolution to authorize the Secretary of the Treasury to cooperate with the other relief creditor governments in making it possible for Austria to float a loan in order to obtain funds for the furtherance of its reconstruction program, and to conclude an agreement for the settlement of the indebtedness of Austria to the United States; and

S. J. Res. 171. Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid transit railway.

SALES OF FOREIGN MANUFACTURED LEATHER (S. DOC. NO. 217)

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 169 of March 19, 1928, a report relative to the extent of the sales of foreign manufactured leather from goat skins and kid skins in the United States since January 1, 1925, and the rates of wages paid workers in the tanning of black and colored kid in the United States and competing countries, which was ordered to lie on the table and to be printed.